



tugboat logic

Fleming-AOD

Privacy Policy for Websites

November 16, 2021

Table of Contents

Table of Contents	2
Privacy Policy for Websites	3
Fleming-AOD Privacy Policy	3
1.0 Introduction	3
2.0 Personal Information We Collect	3
3.0 How We Use Personal Information	5
4.0 How We Share Personal Information	6
5.0 How We Secure Personal Information	6
6.0 Your Rights	6
7.0 How Long We Keep Your Personal Information	7
8.0 Other Important Information	7
9.0 Contact Information	8
Appendix	8
A.1 For Individuals Based in the European Union (EU), European Economic Area (EEA) and Switzerland	8
A.2 For Individuals Based in California	9

Privacy Policy for Websites

The generic use and disclosure of personal information that is collected from the individuals online, through websites

Fleming-AOD Privacy Policy

Last Updated: 11/16/2021

Instructions: This template reflects the generic use and disclosure of personal information that is collected from individuals online, through websites, web-based forms, web-based applications etc., as well as individual rights concerning personal information collected by the organization.

This template should be customized with your organization's information and specific circumstances (as it covers GDPR and CCPA, among other legislations). Once finalized, this policy should be presented to individuals through highly visible links placed on each web page or online application page to enter personal information (after obtaining legal advice independently).

The policy should be updated at least once every 12 months and record the last review or update date.

1.0 Introduction

Fleming-AOD is a Silver Spring, MD-based corporation offering a broad range of services and solutions to a diverse client base. Although best known for innovative thin client information and outcomes systems, Fleming-AOD also offers comprehensive policy analysis and policy modeling services.

For more information about our services, please refer to our website:

<https://aod.cx/>

This Privacy Policy is applicable to Fleming-AOD ("we," "our," or "us") as related to our services, which collectively include:

- the use of aod.cx ("website")
- the use of the application website erehabdata.com, ltrax.com, and pacctrax.com. ("application")
- social media messages and marketing campaigns and
- the use of our products and services.

This Privacy Policy sets out the essential details relating to your personal data relationships with Fleming-AOD as:

- A website visitor
- An end user of the application ("end user")
- A prospective client
- A job applicant and
- Partners

Clients contract the use of our application and give access to their employees and other third parties, as solely decided by them, by creating users who access the application with their email address and credentials. The clients' administrators grant end users roles, which result in different permissions and access rights to the information held in the Client account.

2.0 Personal Information We Collect

2.1 Information You Choose to Provide to Us

WHEN

We may ask you to provide personal information when:

- You use the website to download articles, data sheets or eBooks.
- You request a free trial or demo.
- You refer a potential client or friend to us.
- You connect with us directly via phone calls or video conferencing platforms.
- We or Client Account Administrators grant you access to the application.
- You or Client Account Administrators upload or enter personal information into the application.
- You participate in a marketing/sales promotion.
- You attend trade events and other industry networking events.
- You register or attend a webinar or other event.
- You participate in programs we may offer from time to time.
- You participate in chats.
- You pay for our services.

If you choose to provide us with a third-party's personal information (the person's name, email and company) when taking part in our referral program, you represent that you have the third-party's permission to do so.

WHAT

We collect personal information that may include first and last name, business email address, phone number and/or company name.

As an end user of the application, we collect your name, business email address and any comments you make in the application.

In addition, we may collect data uploaded by you, your employer or other users of the application that may be required to use Fleming-AOD services. We expect all users to follow their organization's privacy policy and any applicable regulatory requirements when uploading, accessing and using personal information into our application. The data uploaded may include personal information like:

- Employee names, email addresses and contractual agreements
- Vendor names, email addresses, contractual agreements or other personal data necessary for Fleming-AOD services
- Customer names and email addresses used to provide services within Fleming-AOD's platform

As a job applicant, we may also collect your resume and cover letter. See page 17 of the Employee Handbook for more information.

2.2 Information We Collect Automatically

WHEN

No third-party tracking (marketing or otherwise) cookies are stored or used by Fleming-AOD's applications or websites. In addition the information saved in cookies generated by Fleming-AOD amount to the user's Facility ID and, if the user chooses, the UserName; no other user information, passwords or PHI is kept in cookies.

WHAT

The information collected includes:

- access times
- the pages you view
- the links you click on
- the search terms you enter
- actions you take in connection with any of the visited pages
- your device information such as IP address, location, browser type and language

- the Uniform Resource Locator (URL) of the website that referred you to our website and
- the URL you browse away from our pages if you click on an external link

We may also collect information when you open email messages from us or click on links within those email messages.

2.3 Information We May Collect From Third Parties

WHEN

We may combine the information we collect from your direct interactions with us with information obtained through other third-party sources, such as GoToWebinar. We also obtain and/or purchase lists from third parties about individuals and companies interested in our products.

WHAT

The personal information collected includes your name, email address, business address, job title, company name, and telephone number.

3.0 How We Use Personal Information

We use your personal information to:

- Deliver the contracted services and allow full use of the application functionality as purchased by the clients.
- Deliver training and support to our application end users and/or carry out the transactions you have requested.
- Communicate with you directly through emails, calls, chats, and video conferencing.
- Process payments for application subscriptions.
- Send communications to you about:
 - New application features and upgrades.
 - Our services and offerings.
 - Event announcements.
 - Product notices and changes to our terms and policies.
 - Particular programs in which you have chosen to participate.
 - Promotional offers and surveys.
 - Scheduling demos and managing free trials.
- Advertise and market our products and services, including delivering interest-based advertisements on this website and other sites or content syndication platforms and websites.
- Carry out market research to understand how to improve our services and their delivery.
- Create and manage marketing campaigns.
- Generate sales leads and increase our market share.
- Analyze user clicks and usage of the application and website to improve user experience and maximize usage of our services.
- Manage our website and application to maintain and deliver the contracted functionality and services.
- Enforce our website and application terms and/or separate contracts (if applicable) with you
- Prevent fraud and other prohibited or illegal activities.
- Protect the security or integrity of the website, application, our business or services.
- Or otherwise, as disclosed to you at the point of collection or as required or permitted by law.

Please note that sometimes we may record the video conferencing call in which you participate to analyze and improve our staff's communication skills. If we do so, we will be announcing it during the conference call.

We do not sell your information to any third party.

4.0 How We Share Personal Information

Our Application and Services

If you are an end user of our application, your personal information may be viewed by other users with access to the application.

Service Providers

We use third parties to help us provide our services. They will not have access to your information as collected by the website or the application. We sign contractual agreements to obligate them to protect your personal information.

Legal Disclosures

It is possible that we may need to disclose personal information when required by law, subpoena or other legal processes as identified in the applicable legislation.

We attempt to notify our clients about legal demands for their personal data when appropriate in our judgment unless prohibited by law or court order or when the request is an emergency.

Change in Control

We can also share your personal data as part of a sale, merger, change in control or in preparation for any of these events.

Any other entity which buys us or part of our business will have the right to continue to use your data, but only in the manner set out in this Privacy Policy unless you agree otherwise.

5.0 How We Secure Personal Information

We are committed to protecting the security of all of the personal information we collect and use.

We use a variety of physical, administrative and technical safeguards designed to help protect it from unauthorized access, use and disclosure. We have implemented best-practice standards and controls in compliance with internationally recognized security frameworks. We use encryption technologies to protect data at rest and in transit.

6.0 Your Rights

We provide the same suite of services to all of our clients and end users worldwide.

We offer the following rights to all individuals regardless of their location or applicable privacy regulations.

For personal information we have about you, you can:

- **Request a copy.**

You have the right to obtain information about what personal information we process about you or to obtain a copy of your personal information.

If you have provided personal information to us, you may contact us to obtain an outline of what information we have about you or a copy of the information.

If you are an end user of the application, you can log in to see the personal information in the account or approach your employer for more information.

- **You have the right to be notified of what personal information we collect about you and how we use it, disclose it and protect it.**

This Privacy Policy describes what personal information we collect and our privacy practices. We may also have

additional privacy notices and statements available to you at the point of providing information to us directly.

- **Change or correct your personal information.**

You have the right to update/correct your personal information or ask us to do it on your behalf.

You can edit your information through the user account in the application or ask us to change or correct it by contacting us.

- **Delete or erase your personal information.**

You have the right to request the deletion of your personal information at any time. We will communicate back to you within reasonable timelines the result of your request. We may not be able to delete or erase your personal information, but we will inform you of these reasons and any further actions available to you.

- **Object to the processing of your personal information.**

You have the right to object to our processing of your personal information for direct marketing purposes. This means that we will stop using your personal information for these purposes.

- **Ask us to restrict the processing of your personal information.**

You may have the right to ask us to limit the way that we use your personal information.

- **Export your personal data.**

You have the right to request that we export to you in a machine-readable format all of the personal information we have about you.

We do not process personal information through the use of automated means.

If you would like to exercise any of the rights described above, please contact us.

You also have the right to lodge a complaint with the local organizations in charge of enforcing the privacy legislation applicable in your territory.

7.0 How Long We Keep Your Personal Information

We retain information as long as it is necessary to provide the services to you and our clients, subject to any legal obligations to further retain such information.

We may also retain information to comply with the law, prevent fraud, collect fees, resolve disputes, troubleshoot problems, assist with investigations, enforce our Terms of Service and take other actions permitted by law.

The information we retain will be handled following this Privacy Policy.

Information connected to you that is no longer necessary and relevant to provide our services may be de-identified or aggregated with other non-personal data. This information may provide insights that are commercially valuable to Fleming-AOD, such as statistics of the use of the services.

8.0 Other Important Information

We process data in locations in-house and in our Rockville, MD location and rely on legally-provided mechanisms to lawfully transfer data across borders, such as contracts incorporating data protection and sharing obligations.

We will only collect and process your personal data where we have a lawful reason for its collection.

When you visit our website and provide us with your personal information, we collect and use it with your consent.

As an application end user, you consent to our collection of your personal information when you log in for the first time. However, your employer has control of the account and may upload and share additional personal information. Your employer's responsibility is to ensure that collecting, using and sharing the personal

information uploaded to the application complies with all applicable legislation.

You can review the terms and conditions of eRehabData use here:

<https://web2.erehabdata.com/erehabdata/PDF/serviceagreement.pdf>. To the terms and conditions of other applications and services that we provide, please contact us.

Where we rely on your consent to process personal data, you have the right to withdraw or decline your consent at any time. If you have any questions about the lawful bases upon which we collect and use your personal data, please contact us.

How to select your communications preferences

You may choose to receive or not receive marketing communications from us. To stop receiving marketing communication, please send an e-mail to the address listed at the bottom of our promotional e-mails requesting to be unsubscribed.

Even if you opt-out of receiving marketing communications, we may still communicate with you regarding security and privacy issues, servicing your account, fulfilling your requests, or administering any promotion or any program in which you may have elected to participate.

9.0 Contact Information

You may contact us to exercise any of your rights or ask for more information about your personal information and our privacy practices.

Appendix

A.1 For Individuals Based in the European Union (EU), European Economic Area (EEA) and Switzerland

If you are based in one of these jurisdictions, Fleming-AOD is the controller of your personal data collected in the following instances:

- When you visit our website and application websites listed above
- When we process your personal data for sales and marketing purposes

Fleming-AOD is a processor of all personal data processed on the application, on behalf of our clients. We only process the personal data under their direction. Please contact your employer or the organization that granted you access to the application for details on their privacy practices.

We only process personal data if we have a lawful basis for doing so. The lawful bases applicable to our processing as controller are:

- **Consent:** We will ask for your express and informed consent every time we collect your personal data on this legal basis.
- **Contractual basis:** We process the personal data as necessary to fulfill our contractual terms with you or our clients.
- **Legitimate interest:** We process the names, contact details, job titles, companies of our existing and prospective clients for our marketing purposes, including market research and sales leads generation.

Please note that, as outlined above, we do not cache any PHI or passwords.

You have the following rights under the GDPR:

- Be informed about the collection and use of your personal data
- Access your personal data
- Correct errors in your personal data
- Erase your personal data
- Object to the processing of your personal data.
 - This right is also available to individuals whose personal data is processed by us for direct marketing

purposes. If you object to the processing of your personal data for direct marketing purposes, we shall stop processing within 30 days of receipt of your request.

- Export your personal data
- Restrict our processing of your personal data for specific reasons, including any of the purposes supported by the legitimate interest legal bases (see the section above).

We process personal data in-office and in our Rockville, MD location and share it with our service providers in various jurisdictions. We use standard contractual clauses as the data transfer mechanism of transferring EU data to countries subject to data transfer requirements.

You may contact us with any questions or concerns you have.

You may also lodge a complaint with your local supervisory authority, EU Data Protection Authorities (DPAs) or Swiss Federal Data Protection and Information Commissioner (FDPIC). See their contact details here: [National Data Protection Authorities](#).

A.2 For Individuals Based in California

This section provides additional specific information for consumers based in California as required by the California Consumer Privacy Act of 2018 (“CCPA”).

A.2.1 Collection and Use of Personal Information

In the last 12 months, we have collected the following categories of personal information:

- Identifiers, such as your name, business mailing address, business email address, business zip code, business telephone number or other similar identifiers
- California Customer Records (Cal. Civ. Code § 1798.80(e)), such as username, company name, job title, business email address and department
- Internet/network information, such as your browsing history, log and analytics data, information about the device(s) used to access the services and information regarding your interaction with our websites or services and other usage data
- Geolocation data, such as information about your location (at country and city level) collected from your IP address
- Sensory Information, the content, audio and video recordings of conference calls between you and us that we record where permitted by you and/or the law
- Profession/employment information that you send to us when applying for a position included in your CV and cover letter
- Other personal information, such as personal information you provide to us in relation to a survey, comment, question, request, article download or inquiry and any other information you upload to our application

We collect personal information directly from you, from your browser or device when you visit our websites, from third parties that you permit to share your information or from third parties that share public information about you, as stated above.

See the section above, “How We Use Personal Information,” to understand how we use the personal information collected from California consumers.

A.2.2 Recipients of Personal Information

We share personal information with third parties for business purposes. The categories of third parties to whom we disclose your personal information may include: (i) our service providers and advisors, (ii) marketing and strategic partners; (iii) ad networks and advertising partners; (iv) analytics providers; and (v) social networks.

Please see the “How We Share Information” section of the Privacy Policy above for more information.

A.2.3 California Privacy Rights

As a California resident, you may be able to exercise the following rights in relation to the personal information about you that we have collected (subject to certain limitations at law):

- The right to know any or all of the following information relating to your personal information that we have collected and disclosed in the last 12 months (upon verification of your identity):
 - The specific pieces of personal information we have collected about you
 - The categories of personal information we have collected about you
 - The categories of sources of the personal information
 - The categories of personal information that we have disclosed to third parties for a business purpose, and the categories of recipients to whom this information was disclosed
 - The categories of personal information we have sold and the categories of third parties to whom the information was sold, and
 - The business or commercial purposes for collecting or selling the personal information.
- The right to request deletion of personal information we have collected from you, subject to certain exceptions.
- The right to opt-out of personal information sales to third parties now or in the future. However, **we do not sell** your personal information.

You also have the right to be free of discrimination for exercising these rights.

Please note that if exercising these rights limits our ability to process personal information (such as a deletion request), we may no longer be able to provide you with our products and services or engage with you in the same manner.

A.2.4 How to Exercise Your California Consumer Rights

To exercise your right to know and/or your right to deletion, please submit a request by contacting us.

We will need to verify your identity before processing your request.

In order to verify your identity, we will generally require sufficient information from you so that we can match it to the information we maintain about you in our systems. Sometimes we may need additional personal information from you to be able to identify you. We will notify you.

We may decline a request to exercise the right to know and/or right to deletion, particularly where we cannot verify your identity or locate your information in our systems or as permitted by law.

You may choose to designate an authorized agent to make a request under the CCPA on your behalf. No information will be disclosed until the authorized agent's authority has been reviewed and verified. Once an authorized agent has submitted a request, we may require additional information (i.e., written authorization from you) to confirm the authorized agent's authority.

If you are an employee/former employee of a Fleming-AOD client that uses our application and services, please direct your requests and/or questions directly to your employer/former employer.

If you are a third party (auditor, business associate etc.), who was given access to the Fleming-AOD application by a Fleming-AOD client, please direct your requests and/or questions directly to the Fleming-AOD client that gave you access.

Minors Under Age 16

Our application and services are intended for business use, and we do not expect them to be of any interest to minors. We do not intentionally collect any personal information of consumers below the age of 16. We do not sell the personal information of California consumers.