

PRIVACY POLICY

This notice describes the privacy policy (“Privacy Policy” or “Policy”) of <https://emerse.app/> (hereinafter referred to as the “website” or “Site” or “Platform”) which is operated by:

Company Name: SIMPLASY HEALTHCARE SOLUTIONS, LLC

Registration Number: 20231888306

Registered Office: 6834 S. University Blvd. #160, Centennial, CO 80122

(here simply referred to as “EMERSE” or “us” or “our” or “we”). In this Policy, you shall be referred as “you” or “your” or “user” or “users” or “licensees”.

At EMERSE, we are committed to maintaining the confidentiality, integrity, and security of personal and health information entrusted to us by our users. We are dedicated to maintaining the confidentiality, integrity, and security of this information in accordance with the **Health Insurance Portability and Accountability Act (HIPAA)** and other applicable privacy laws.

In this policy, you will find detailed information about our practices concerning the handling of personal and health information. It outlines the types of information we collect through EMERSE, how this information is used, and the measures we take to protect it. Our goal is to be transparent in our processes and to ensure our users feel confident in the way their data, and by extension, their patients' data, is managed.

We will not knowingly use or share your information with anyone, except as described in this Privacy Policy. The use of information collected by us shall be limited to the purposes described under this Privacy Policy and our EULA.

By using our website, or providing personal and health information to us, you are accepting and consenting to the practices described in this policy. Please take a moment to familiarize yourself with the details outlined below to understand our policies and practices concerning your privacy. If you have any questions or concerns, don't hesitate to contact us at help@emersemail.com.

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1. What personal and health information do we collect?

At EMeRSE, part of SIMPLEASY HEALTHCARE SOLUTIONS LLC, we recognize the importance of privacy and are committed to protecting the personal and health information of our users. This section outlines the types of information we collect to provide our services effectively.

A. Personal Information Collected:

- i. **Title:** We collect the professional title of healthcare providers (e.g., MD, DO, PA, etc.), which aids in identifying their role within the healthcare system.
- ii. **Full Name:** The complete name of individuals who create an account on EMeRSE is collected for identification and communication purposes.
- iii. **National Provider Identifier (NPI):** We collect the NPI to uniquely identify covered healthcare providers in compliance with regulatory requirements.
- iv. **Email Address:** Essential for account setup, communication, and sending notifications related to EMeRSE services.
- v. **Phone Number:** Used as a secondary means of communication and for account verification.

B. Health Information Collected

- i. **Patient Demographics:** This includes names, suffixes, preferred names, birth sex, gender identity, date of birth, race, ethnicity, and social security numbers.
- ii. **Contact Information:** Collection of home and mobile phone numbers, emergency contact information, and residential addresses.
- iii. **Medical History and Records:** We compile information such as chief complaints, hospitalizations, diagnoses, surgical and social histories, family histories, and advanced directives.
- iv. **Biometric Data:** This encompasses measurements like height and weight.
- v. **Insurance and Pharmacy Details:** Information related to patients' insurance providers and preferred pharmacies.

- vi. **Clinical Data:** This includes records of allergies, immunizations, current medications, and details of any procedures or surgeries.
- vii. **Other PHI:** We may also collect other Personal Health Information (PHI) as provided by our users.

C. **Methods of Data Collection:** The above information is primarily collected through patient registration processes, either directly from healthcare entities or via electronic submissions. Additionally, updates and modifications to this information may occur during subsequent medical visits, both in-person and virtual.

2. What is the lawful basis for which we use your personal and health information?

At EMerSE, we are committed to using personal and health information responsibly and lawfully. This section outlines the legal grounds on which we base the processing and use of the information we collect.

- a) **Contractual Necessity:** We use personal and health information to fulfill our contractual obligations to provide EMR services to healthcare providers and entities. This includes using information for scheduling, billing, and medical record management. The information is used in accordance with the terms agreed upon in user agreements and service contracts, such as End User License Agreement (EULA) and Business Associate Agreement (BAA).
- b) **Consent:** In certain instances, we rely on user consent for specific processing activities. For example, we seek consent to collect and use email addresses for communication purposes and to provide updates on our services.
- c) **Legal Obligations:** We may process personal information to comply with legal obligations, such as financial and transactional record-keeping requirements, and reporting to relevant authorities. We also process personal and health information in compliance with HIPAA regulations, which require the protection and confidential handling of protected health information (PHI).
- d) **Legitimate Interests:** Processing personal information is necessary for our legitimate interests, such as improving our services, enhancing user experience, and ensuring the security and integrity of our website.
- e) **Vital Interest:** Information may be used or disclosed in emergency situations when it is necessary to protect the vital interests of an individual.
- f) **Research:** With appropriate safeguards, de-identified health information may be used for research purposes, subject to ethical and legal standards.

In any case, we will gladly help to clarify the specific legal basis that applies to the processing, and in particular whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract. Feel free to contact us for this purpose at help@emersemail.com.

3. How do we use this information?

At EMerSE, we are committed to ensuring the security and privacy of your information. We collect and use personal and patient information for specific purposes related to the provision of our electronic medical record (EMR) system and associated services. The following outlines how we use this information:

- a) **Providing and Managing EMR Services:** This includes all activities necessary for delivering and maintaining our Electronic Medical Record services, such as patient care management, and billing and payment processing.
- b) **Communication:** We use contact information for sending important notifications about our services, updates, and providing support and assistance to our users.
- c) **Billing:** Patient and user information may be used for billing purposes, including processing payments, billing reconciliation, and managing financial transactions related to the use of EMeRSE.
- d) **Reporting:** We utilize aggregated and anonymized data for generating reports and analytics that help improve the efficiency and quality of healthcare services. Individual patient data is only used as necessary for treatment and care.
- e) **Messaging:** EMeRSE includes a messaging feature to enable communication among healthcare practitioners, administrative staff, and other authorized users within the organization. Personal and patient information may be used to facilitate secure messaging.
- f) **Account Creation and Approval:** Personal information, including title (MD, DO, PA, etc.), full name, NPI, email address, and phone number, is used for creating and approving user accounts within the system. Account creation is mandatory for accessing protected health information (PHI).
- g) **System Maintenance and Updates:** We may use your contact information to notify you about regular maintenance updates and emergency updates.
- h) **User Authentication:** Personal information may be used for user authentication purposes, ensuring that only authorized individuals gain access to the system.
- i) **Enhancements and Support:** Requests for enhancements, bug reports, custom data queries, and special requests submitted are used to enhance and support the EMeRSE system.
- j) **Quality Improvement:** We may use anonymized and aggregated data for quality improvement purposes. This includes analyzing healthcare outcomes, identifying areas for improvement, and enhancing the overall quality of care provided through EMeRSE.
- k) **Legal and Regulatory Compliance:** Personal and patient information may be used to comply with legal and regulatory requirements. This may include responding to legal requests, complying with subpoenas, or addressing government audits or investigations.
- l) **Customer Support:** We use your contact information to provide customer support and address any inquiries or concerns you may have regarding the use of EMeRSE. Our customer support team is dedicated to assisting you with any issues you encounter.
- m) **Marketing and Promotional Activities:** We may use contact information for marketing our services and informing users about new features or promotions, subject to user preferences and consent.

4. Data Retention and Deleting your information

- a) **Data Retention:** We retain personal and health information for as long as necessary to fulfill the purposes outlined in this Privacy Policy, unless a longer retention period is required or permitted by law. The duration

for which we keep information depends on the legal and operational requirements, including compliance with HIPAA regulations, the necessity for accurate and adequate medical records, and financial record-keeping.

- b) **Regular Review and Deletion:** We regularly review our data holdings and securely delete or anonymize information that is no longer needed for the purposes for which it was collected.
- c) **Deleting Personal Information:** Your account and the information that you provide us is yours. You can at any time delete the same. You can request us to delete your information by writing to us at help@emersemail.com, or through designated user account settings.
- d) **Exceptions:** In some cases, we may be unable to delete information due to legal, regulatory, or ethical obligations, such as retaining medical records for a certain period.
- e) **Effect on Services:** Deleting certain information may impact the user's ability to access and use specific services or features provided by EMeRSE.
- f) **Backup Copies:** Information may continue to exist in backup copies for a limited period after deletion. These copies are retained for system restoration purposes and are not actively used.

5. Cookies and Similar Technologies

At EMeRSE, we use cookies and similar technologies to enhance the user experience, improve our services, and ensure the efficiency and security of our platform. This section explains how and why we use these technologies.

A. Use of Cookies and Similar Technologies:

- i. **Cookies:** Small data files stored on your device that help us improve our site's functionality, remember user preferences, and understand how our services are used.
- ii. **Web Beacons and Pixels:** These are tiny graphics with a unique identifier, similar in function to cookies, and are used to track the online movements of web users.
- iii. **Analytical and Performance Cookies:** These cookies help us understand user behavior on our site, measure the effectiveness of our services, and improve them over time.

B. Purpose of Using Cookies and Similar Technologies

- i. **User Experience Enhancement:** Cookies enable us to tailor our platform to the needs and preferences of our users, providing a more personalized experience.
- ii. **Service Improvement and Analytics:** We use these technologies to analyze how our services are accessed and used, which helps us identify areas for improvement.
- iii. **Security:** Cookies and similar technologies play a crucial role in securing our platform and preventing fraudulent activity.

C. Managing Cookies and Consent: Users have control over the use of cookies through their browser settings. We obtain consent for the use of cookies where required by law. Information on how to adjust cookie settings or opt-out of certain types of cookies will be provided, typically within the browser's help section or settings.

D. Third-Party Cookies: Some cookies on our site may be set by third-party services we use for various purposes, such as analytics or advertising. We advise users to consult the privacy policies of these third parties to understand their use of cookies and similar technologies.

6. Sharing of Information

At EMeRSE, transparency and user privacy are paramount. We may share collected information in specific circumstances outlined below:

- a) **Sharing with Healthcare Providers and Entities:** We may share information with healthcare providers and entities that are directly involved in patient care and treatment, as part of our EMR services.
- b) **Our Employees:** Information collected may be accessed by EMeRSE employees based on their job responsibilities, such as customer support or system administrators. Access is restricted to those with a legitimate need for the information, and confidentiality obligations are in place.
- c) **Third-Party Service Providers:** For operational purposes, we may share information with third-party service providers who assist us in areas such as billing, data analysis, email delivery, hosting services, and customer service.
- d) **Payment Processing:** Payment information is securely processed by trusted third-party payment gateways.
- e) **Legal Compliance and Protection:** If required by law, we may disclose information in response to lawful requests by public authorities, including meeting national security or law enforcement requirements.
- f) **Business Transfers:** In the event of a merger, acquisition, bankruptcy, dissolution, reorganization, or similar transaction or proceeding, we may transfer or share your information as part of the transaction.
- g) **With User Consent:** Information may be shared with user consent, such as when users opt-in to receive marketing communications or participate in promotional activities.
- h) **Aggregate and Anonymized Data:** Aggregated and anonymized data may be shared for analytical purposes, providing insights into user trends and preferences without revealing personally identifiable information.

7. Storage and Security of Information

Ensuring the confidentiality and integrity of user information is a top priority at EMeRSE. Here's how we handle the storage and security of the information we collect:

- a) **Secure Storage:** All personal and health information collected through EMeRSE is stored on secure servers. Our storage solutions are designed to protect data from unauthorized access, alteration, and loss.
- b) **Cloud-Based Infrastructure:** We utilize a cloud-based infrastructure for enhanced security, scalability, and reliability.
- c) **Backup and Redundancy:** Regular backups of data are performed to prevent loss, and redundancy measures are in place to ensure data availability and integrity.
- d) **Encryption:** Data is encrypted during transmission and at rest, using industry-standard encryption technologies.
- e) **Access Control:** We implement strict access controls to ensure that only authorized personnel have access to personal and health information.

- f) **Regular Security Audits:** Our systems undergo regular security audits and assessments to identify and address potential vulnerabilities.
- g) **Compliance with Standards:** We adhere to established security standards and regulations, including HIPAA, to ensure the protection of sensitive health information.
- h) **Employee Training:** Our employees receive regular training on data protection and security practices to ensure they understand the importance of maintaining the confidentiality and integrity of user information.
- i) **Incident Response Plan:** In the event of a data security incident, EMeRSE has an incident response plan in place to promptly assess, contain, and mitigate the impact of the incident. Users will be notified as required by applicable data protection laws.
- j) **Data Retention Policies:** User information is retained only for as long as necessary to fulfill the purposes outlined in the Privacy Policy or as required by applicable laws and regulations. Once the retention period expires, data is securely deleted or anonymized.
- k) **Security:** We employ reasonable security practices to ensure that the information is safe and secure with us. However, no information on the internet is 100% safe, and you accept and acknowledge such risk. Also, we will disclose the information so collected for limited purposes as mentioned in this Privacy Policy.

8. Links to other Sites

The Site may contain links to third-party websites and online services that are not owned or controlled by us. We have no control over, and assume no responsibility for such websites and online services. Be aware when you leave the website; we suggest you read the terms and privacy policy of each third-party website, and online service that you visit.

9. California Resident Rights

This privacy notice section for California residents supplements the information contained in our Privacy Policy and it applies solely to all visitors, users, and others who reside in the State of California.

“Shine the Light” and “Eraser” Laws: Residents of the State of California may request a list of all third parties to which we have disclosed certain information during the preceding year for those third parties’ direct marketing purposes.

California Consumer Privacy Act (CCPA)/California Privacy Rights Act (CPRA): The CCPA, as amended by the CPRA, provides California residents and/or their authorized agents with specific rights regarding the collection and processing of their personal information.

Your Right to Know: California residents have the right to request that we disclose the following information to you about our collection and use of your personal information over the past twelve (12) months. We may ask you to provide certain information to identify yourself so that we may compare it with our records in order to verify your request.

Upon verification, we will disclose to you:

- The categories of personal information we have collected about you.

- The categories of sources for the personal information we have collected about you.
- The specific pieces of personal information we have collected about you.
- Our business or commercial purpose for collecting or “selling” your personal information as defined by the CCPA.
- The categories of third parties to whom we have sold or shared your personal information, if any, and the categories of personal information that we have shared with each third-party recipient.

Your Right to Opt-Out of “Sale” or “Sharing” of Personal Information: California residents have the right to opt-out of the “sale” or “sharing” of their personal information as defined by the CCPA by contacting us at help@emersemail.com.

Please note that we do not knowingly “sell” the personal information of any individuals.

If and where we are “sharing” your personal information with third parties for the purposes of cross-context behavioral advertising or profiling, you may opt-out of such sharing at any time by submitting a request at help@emersemail.com.

Your Right to Limit Use of Sensitive Personal Information: California residents may have the right to request that businesses limit the use of any sensitive personal information to those uses which are necessary to perform the Services or for other specifically-enumerated business purposes under the CCPA, as amended by the CPRA. Please note that we do not use sensitive personal information other than as necessary to perform the Services or as specifically permitted under the CCPA.

Your Right to Delete: California residents have the right to request that we delete any of the personal information collected from you and retained by us, subject to certain exceptions. We may ask you to provide certain information to identify yourself so that we may compare it with our records in order to verify your request. Once your request is verified and we have determined that we are required to delete the requested personal information in accordance with the CCPA, we will delete, and direct our service providers to delete your personal information from their records. Your request to delete personal information that we have collected may be denied if we conclude it is necessary for us to retain such personal information under one or more of the exceptions listed in the CCPA.

Your Right to Correct: Under the CCPA, as amended by the CPRA, California residents have the right to request that we correct any inaccurate personal information we maintain about you, taking into account the nature of the personal information and the purposes for which we are processing such personal information. We will use commercially reasonable efforts to correct such inaccurate personal information about you.

Non-Discrimination: You will not receive any discriminatory treatment by us for the exercise of your privacy rights conferred by the CCPA.

To exercise any of your rights, please contact us at help@emersemail.com

10. Notice for Nevada Residents

Under Nevada law, certain Nevada residents may opt out of the sale of “personally identifiable information” for monetary consideration to a person for that person to license or sell such information to additional persons.

“**Personally identifiable information**” includes first and last name, address, email address, phone number, social security number, or an identifier that allows a specific person to be contacted either physically or online.

Please note, we do not sell your personal information to anyone.

11. Rights of users from other States

Your data controller with respect to the personal information collected on the website is:

Company Name: SIMPLEASY HEALTHCARE SOLUTIONS, LLC

Registration Number: 20231888306

Registered Office: 6834 S. University Blvd. #160, Centennial, CO 80122

Depending upon the laws of your jurisdiction, you may be eligible for some or all the following rights in respect of your personal information:

- i. Right to obtain information:** You may have a right to obtain information about how and on what basis your personal information is processed and to obtain a copy.
- ii. Right to rectification:** You may have the right to have any incomplete or inaccurate information we hold about you rectified and corrected.
- iii. Right of Erasure:** You may have the right to erase your personal information in limited circumstances where (a) you believe that it is no longer necessary for us to hold your personal information; (b) we are processing your personal information on the basis of legitimate interests and you object to such processing, and we cannot demonstrate an overriding legitimate ground for the processing; (c) where you have provided your personal information to us with your consent and you wish to withdraw your consent and there is no other ground under which we can process your personal information; and (d) where you believe the personal information we hold about you is being unlawfully processed by us.
- iv. Right of restriction:** You may have the right to restrict processing of your personal information where: (a) the accuracy of the personal information is contested; (b) the processing is unlawful but you object to the erasure of the personal information; (c) we no longer require the personal information for the purposes for which it was collected, but it is required for the establishment, exercise or defense of a legal claim or (d) you have objected to us processing your personal information based on our legitimate interests and we are considering your objection.
- v. Right to object:** You may have the right to object to decisions which are based solely on automated processing or profiling.

- vi. **Right to ask for a copy:** Where you have provided your personal information to us with your consent, you may have the right to ask us for a copy of this data in a structured, machine-readable format and to ask us to share (port) this data to another data controller; or to obtain a copy of or access to safeguards under which your personal information is transferred outside of your jurisdiction.
- vii. **Right to withdraw your consent.** You may have the right to withdraw your consent on using your personal data. If you withdraw your consent, we may not be able to provide you with access to certain specific functionalities of our services.
- viii. **Request the transfer of your Personal Data.** If you so have this right, we will provide to you, or to a third-party you have chosen, your personal data in a structured, commonly used, machine-readable format. Please note that this right may only apply to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

To make such requests, please contact us at help@emersemail.com. Please note, we reserve the right to reject the request if you are not entitled to the right that you request to enforce.

12. How do we respond to legal requests?

We may access, preserve, and share your information in response to a legal request (like a search warrant, court order or subpoena/summon) if we have a good faith belief that the law requires us to do so. This may include responding to legal requests from law enforcement agencies, courts, tribunals, and government authorities. We may also access, preserve, and share information when we have a good faith belief it is necessary to: detect, prevent, and address fraud and other illegal activity; to protect ourselves, you and others, including as part of investigations; or to prevent death or imminent bodily harm. We also may retain information from accounts disabled for violations of our terms for at least a year to prevent repeat abuse or other violations of our terms.

13. Children Privacy

Protecting children's privacy is important to us, and therefore our Site or our services are not intended for children. We do not direct the Site or our services to, nor do we knowingly collect any personal information from, such children. If you are not of majority (*or above*) as per the law of jurisdiction that applies to you, you are not authorized to use the website. If we learn that a child has provided personally identifiable information to us, we will use reasonable efforts to remove such information from our database. **Please contact us at help@emersemail.com if you believe we knowingly or unknowingly collected information described in this Section.**

14. How can I withdraw my consent? (OPT-OUT)

If you sign up, you will automatically start receiving promotional emails and direct mail from us. If after you opt-in, you change your mind, you may withdraw your consent for us to contact you, for the continued collection, use or disclosure of your information, at any time, by contacting us at help@emersemail.com.

15. Governing law and Dispute Resolution

Unless provided by the relevant statute, rules, or directives applicable to the jurisdiction in which you reside, in case of any disputes, issues, claims or controversies arising out of or in relation to your use of the Site or our services, the governing law and dispute resolution mechanism as provided in the EULA shall apply to this **Privacy Policy** as well.

16. Do you have questions or concerns about this Privacy Policy?

In the event you have any grievance regarding anything related to this Privacy Policy, EULA, or with any content or service of EMERSE, in that case you may freely write your concerns to Grievance Officer/Designated Representative at below:

- **Name:** SIMPLEASY HEALTHCARE SOLUTIONS
- **Email:** help@emersemail.com
- **Postal:** 6834 S University Blvd. #160, Centennial, CO 80122

17. Updates to this Policy

We may add to or change or update this **Privacy Policy** at any time, from time to time, entirely at our own discretion, with or without any prior written notice. You are responsible for checking this Policy periodically. Your use of the Site/services after any amendments to this Policy shall constitute your acceptance to such amendments.

18. Welcoming of Suggestions

We welcome your comments regarding this Privacy Policy. Please write to us at help@emersemail.com.

Last updated on **January 22, 2024**.