

At Livongo Health, Inc. ("Livongo"), we understand how important privacy is to users of our websites, including the Livongo Clinical Portal ("Clinical Portal"). This Livongo Clinical Portal Privacy Policy ("Policy") is the primary privacy policy for the Clinical Portal administered by Livongo.

### **Use of Cookies**

Authorized Users of the Clinical Portal can access certain information about individual's that participate in a chronic condition program administered by Livongo. Our Clinical Portal, like most other websites, may use a standard technology called "cookies" to collect information about how our site is used. Cookies were designed to help a website operator determine that a particular user had visited the site previously and thus save and remember any preferences that may have been set.

We may use cookies to keep track of information about your current web browsing session. These cookies will be discarded as soon as you log out or close your web browser. This information allows us to statistically monitor how many people are using our site and for what purpose.

We may also make use of "persistent" or "memory based" cookies, which remain on your computer's hard drive until you delete them. Although you have the ability to modify your browser to either accept all cookies, notify you when a cookie is sent, or reject all cookies, it may not be possible to utilize our Website if you reject cookies.

### **Terms of Use**

Our Clinical Portal Terms of Use provisions are accessed from the first page of the Clinical Portal log-in and at the bottom of each page within the Clinical Portal. These terms govern use of the Clinical Portal and apply to all users, whether authorized or not.

### **Changes to This Notice**

We reserve the right to amend this Policy at any time in our sole discretion. When we make material changes to this Policy, we will update the Policy's effective date and post the updated version within the Clinical Portal. Your continued use of the Clinical Portal following the posting of changes constitutes your acceptance of those changes.

### **Notice for California Residents**

Livongo is committed to complying with the requirements of the California Consumer Privacy Act of 2018 ("CCPA") and has adopted the following terms to provide notice of your rights if you are a resident of the state of California ("Notice"). Terms defined in the CCPA have the same meaning when used in this here forth unless otherwise specified.

This Notice applies solely to the personal information (as defined below) of Consumers using the Clinical Portal who reside in the State of California ("consumers" or "you"). This Notice does not apply to employment-related information collected from California employees, job applicants, or contractors of Livongo.

#### **1. Personal Information Defined**

As used in this Notice, "personal information" is information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. Personal information does not include:

- Information that is lawfully made available from federal, state, or local government records;
- Information that is de-identified or aggregated;

- Health or medical information subject to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and/or the California Confidentiality of Medical Information Act (CMIA), or certain clinical trial data;
- Personal information covered by other privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA), California Financial Information Privacy Act (FIPA), and/or the Driver's Privacy Protection Act of 1994; and
- Other information not covered by the CCPA, such as certain business contact information.

**2. Personal Information That We Collect**

During your use of the Clinical Portal, we may collect the following categories of personal information:

Category	Examples of Data Collected
Identifiers	A real name, alias, Internet Protocol address, postal address, email address, or similar identifier.
Personal information categories listed in the California Customer Records statute	A name, signature, Social Security number, physical characteristics, address, telephone number, passport, driver's license, state identification card or insurance policy number, education history, employment history, background checks, bank account number, credit card or debit card number, or any other financial, medical or health insurance information.
Internet or other similar network activity	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.

**3. Sources of Personal Information**

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, we may obtain information from forms that you complete, products and services you use, or from our communications with you. This includes information gathered when you contact Livongo, whether the contact is in person, by mail, by phone, online, via electronic communication or by any other means.
- Indirectly from you. For example, we may obtain information that your computer or mobile device transmits when interacting with the Clinical Portal.
- From others. We may receive information about you from our affiliates or from third-party service providers that provide services to us in connection with our operation of the Clinical Portal. We may also collect information from parties involved with mergers, acquisitions, or similar transactions.

**4. Use and Disclosure of Personal Information**

We may use or disclose the personal information we collect for one or more of the following Business Purposes: (i) to fulfill or meet the purpose for which you provided the information. For example, if you share your name and contact information to ask a question about the Clinical Portal, we will use that personal information to respond to your question.; (ii) to provide the Clinical Portal, including customer support or analytic services; (iii) to provide, support, personalize, and develop our website, applications, products, and services; (iv) to create, maintain, customize, and secure your account with us; (v) to ensure data privacy and security; (vi) to analyze and report on company metrics; (vii) as described to you when collecting your personal information or as otherwise set forth in the CCPA; (viii) to respond to law enforcement requests and as required by applicable law, court order, or governmental regulations; (ix) to perform services on behalf of a CCPA-covered business or its service provider; (x)

for audit, investigative, or other administrative purposes; (xi) to advance our commercial or economic interests; (xii) to evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of assets; and (xiii) for such other purposes as are reasonably required by Livongo and are consistent with applicable law.

We may share your personal information solely for a Business Purpose. When we disclose personal information for a Business Purpose, we require the recipient to both keep that personal information confidential and not use it for any purpose.

We share your personal information with the following categories of third parties: (i) service providers; (ii) third parties with whom you direct us to share your information; and (iii) other third parties such as website analytics providers, governmental or law enforcement agencies, affiliates, business partners, actual and potential customers, parties involved in mergers, acquisitions or similar transactions, and professional services providers such as law firms, accountants, bankers, insurers, and auditors.

In the preceding twelve (12) months, we have not sold or leased any personal information.

## **5. CCPA Privacy Rights**

As a California-resident Consumer, you have the right to request that we disclose certain information to you covering the 12-month period prior to your request. That information includes the categories of personal information that we collected about you and the categories of sources of that information, the business purpose for collecting that information, the categories of personal information that we disclosed about you and the categories of third parties to whom we disclosed that information, and a copy of the specific personal information that we collected about you. You also have the right to request that we delete the personal information that we collected about you.

Privacy and data protection laws other than the CCPA apply to much of the personal information that we collect, use, and disclose. When these laws apply, portions of the personal information collected may be exempt from access or deletion requests. For example, we will not disclose certain sensitive information, such as your social security or driver's license number, or information that may conflict with a third party's privacy rights. We may also deny all or part of a deletion request in certain situations, such as when we need the information to complete a transaction for which the personal information was collected or when we need the personal information to perform our business or legal obligations.

You may contact us as provided below to exercise your CCPA privacy rights. Before we respond to a request for access or deletion, we must first verify your identity. We will only use information that you provide for identity verification for that purpose. You do not need to create an account with us to exercise your rights. You may designate an "authorized agent" to submit requests on your behalf. We will require your authorized agent to have a written authorization confirming that authority. You may also make a request on behalf of your minor child.

We will acknowledge receipt of your verifiable request within 10 days of our receipt of your request, and we will endeavor to substantively respond within 45 days of our receipt of your request. If we need to extend our response time (up to 90 days from receipt of your request), we will inform you in writing of our reasons for doing so. We will deliver your personal information via your online account with us, if you have one, or by other secure electronic means. If we are unable to process your verifiable request in whole or in part, we will explain our reasons for doing so.

We do not typically charge a fee to respond to verifiable requests unless they are excessive, repetitive, or manifestly unfounded. If we determine that your verifiable request warrants the assessment of a fee, we will inform you of the reasons supporting our determination and provide you with our estimate of the costs to fulfill your request before we take action.

We will not discriminate against you for exercising any of your CCPA rights

#### **6. Changes to This Notice**

We reserve the right to amend this Notice at any time in our sole discretion. When we make material changes to this Notice, we will update the Notice's effective date and post the updated version on our Website. Your continued use of our Website following the posting of changes constitutes your acceptance of those changes.

#### **7. Contact Information**

If you have any questions or comments about this Notice, the ways in which we collect and use your information described above, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at: [Privacy@livongo.com](mailto:Privacy@livongo.com), through the contact us page at <https://www.livongo.com/contact.html>, or contacting our Member Support line at (800) 945-4355.

*Effective: May 4, 2020*