



Website Privacy Policy for Non-Patients

About This Policy

MDRS Holdings, Inc, and MDRS Spine & Sport, Inc.(sometimes referred to as “Company,” “us,” “we,” or “our”) adopted this privacy policy (“Policy”) to describe our policies and practices concerning the personal information we collect about consumers. We are committed to the privacy and security of personal information. This Policy supplements our Notice of Privacy Practices regarding Protected Health Information, located here: [Privacy Notice](#)

This Policy, more specifically, is intended to provide consumers with information about how we collect, use, disclose, retain, and safeguard certain of the personal information we gather about them such as through the:

- Use of our websites, including mobile websites, applications (collectively, the “Site”)
- Visits to our offices or attendance at one of our events
- Phone and email communications
- Social media interactions, such as through Facebook, Instagram, and YouTube.
- Viewing our online advertisements or emails

It also describes options consumers may have concerning their personal information.

Please read this Policy carefully before using the Site or submitting personal information to us. By accessing or visiting the Site, you indicate your understanding that the collection, use, disclosure, and retention of your personal information is subject to the terms of this Policy and our Terms of Use here: [Terms of Use](#). Except as otherwise noted, any capitalized terms not defined in the Policy have the meaning set forth in the Terms of Use. If you do not consent to the collection, use, disclosure, and retention of your personal information as described in this Policy, please do not provide us with such information. This Policy does not apply to third-party websites accessible through our Site or other applications.

Personal Information We Collect

As described below, we may collect or have collected in the preceding 12 months the following categories of personal information (“PI” or “personal information”). We may add to the categories of PI we collect and the purpose(s) we collect and use it. In those cases, we will inform and update this section of the Policy.

- **Identifiers** – such as real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver’s license number, or other similar identifiers.
- **Other elements** – such as name, signature, characteristics or description, address, telephone number, education, bank account number, credit card number.
- **Characteristics of protected classifications under California or federal law** – such as race, religion, and age.
- **Commercial information** – such as products and services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.



- **Education information** – such as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (20 U.S.C. section 1232g, Sec. 1232g; 34 C.F.R. Part 99).
- **Internet or other electronic network activity** – such as browsing history, search history, a consumer’s interaction with an internet website, application, or advertisement.
- **Biometric information** – such as an individual’s physiological, biological, or behavioral characteristics used or is intended to be used singly or in combination with each other or with other identifying data, to establish individual identity.
- **Geolocation data** – such as location information while using one of our apps.
- **Audio, electronic, visual, thermal, olfactory, or similar information** – such as identifiable information obtained about you from voicemail messages, while speaking with our service representatives, including on the telephone, and captured by video cameras.
- **Professional or employment-related information** – such as information on job applications, information needed during onboarding for payroll and benefits, and information needed for evaluating performance.
- **Sensitive Information.** Sensitive information means a consumer’s social security, driver’s license, state identification card, or passport number; account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account; precise geolocation; racial or ethnic origin, religious or philosophical beliefs, or union membership; the contents of a consumer’s mail, email, and text messages unless the business is the intended recipient of the communication; genetic data; the processing of biometric information for the purpose of uniquely identifying a consumer; personal information collected and analyzed concerning a consumer’s health; and personal information collected and analyzed concerning a consumer’s sex life or sexual orientation.

Personal information does not include certain categories of information, such as publicly available information from government records, and deidentified or aggregated consumer information.

We retain your personal information for as long as necessary to fulfill your requests or the purposes for which it was obtained, and in accordance with the Company’s data retention schedule, unless we have or deidentified or deleted your personal information in response to a request to delete. We may retain your personal information for longer if it is necessary to comply with our legal obligations or reporting obligations, resolved disputes, or as permitted or required by applicable law. We may also retain your Personal Information in a deidentified or aggregated form so that it can no longer be associated with you. To determine the appropriate retention period for your personal information, we consider various factors such as the amount, nature, and sensitivity of your information; the potential risk of unauthorized access, use or disclosure; the purposes for which we process your personal information; applicable legal requirements.

Purposes We Collect and Use Personal Information

We collect and use your PI for the following business or commercial purposes. We may change or add to the purposes we collect PI. In that case, we will inform you and obtain your consent when required by law.

- To provide you with information or services you request from us.
- To fulfill or meet the reason for which the information is provided.



- To contact you and/or provide you with email alerts and other notices concerning our services, events, or news that may be of interest to you. For example, we may send you announcements, surveys, and newsletters using any communications preferences you have expressed. We may provide these communications via email, postal mail, online advertising, social media, telephone, text message (including SMS and MMS), push notifications, in-app messaging, and other means. Of course, if at any time you no longer wish to receive such communications, you have the option of unsubscribing from our mailing list for that communication.
- To process payments.
- To engage in marketing activities.
- To communicate with you in social media concerning our services.
- To ensure your information is accurate and to personalize our communications to you. For example, we may aggregate your personal information with data from various sources for purposes of keeping information up to date. If you connect your social media services or other accounts to our services, we may use this information to make your experiences with us more personal or share and use it as described elsewhere in this Policy.
- To carry out our obligations and enforce our rights including those arising from any contracts entered into with you including for billing, payment, and collections.
- To review, improve, and monitor our website, applications, online services, and overall consumer experience, including to provide customization to meet the specific needs.
- To provide customer service and engage in quality control activities concerning our products and services.
- For testing, research, analysis and service development. We may use data, including public feedback and surveys, to conduct research and for the development of the Site and the services and information we provide.
- To respond to law enforcement requests and as required by applicable law, court order, governmental regulations, or other lawful processes.
- As described to you when collecting your personal information.
- To manage our recruiting efforts and employment and workforce relationships. These activities include, for example, sourcing and processing employment applications, onboarding employees and contingent workers, and carrying out a range of employment activities relating to the employment relationship, such as compensation, benefits, promotion, discipline, termination, and certain post termination activities.
- As necessary or appropriate to protect the rights, property, security, and safety of us, our employees, our patients, our information systems, and the public.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Sources of Personal Information We Collect

- **You.** We may collect personal information that you provide during your interactions with us, such as through our Site, by email, or when you communicate with our associates online, by phone, or at one of our clinics. We may also collect information when you attend an event, or participate in a contest, promotion, or program we sponsor. We collect information when you are an applicant



for employment with us and employed by us. We also collect information through certain online tracking tools, such as browser cookies, flash cookies, and web beacons.

- **Related Entities and Affiliates.** We may collect information about you from our related parties and affiliates, including joint ventures.
- **Social media and related services.**
- **Service providers and contractors.** When you obtain services from us, we may collect your PI from service provider and contractors who collected information about you that is needed to provide those products and services.
- **News outlets, social media, surveys, and certain third parties.** In the course of performing our services or marketing activities, we or third parties on our behalf may conduct research and other activities resulting in the collection of PI about you.

Disclosures of Personal Information.

We do not sell or share your personal information to third parties. We also do not use or disclose your sensitive personal information for purposes that, with limited exceptions, are not necessary in order to provide our products and services as are reasonably expected by an average consumer requesting those goods and services. We also do not have actual knowledge that we have sold personal information of minors under age 16.

We may, however, disclose your personal information with services providers and contractors who help us provide the products and services, such as, shipping, payment processing, marketing and advertising, email, text and other communications, applications, sales, business and inventory support, photography, and website, software, platform, cloud, data storage and other technical services.

We may also disclose your personal information if necessary to: (1) comply with federal, state, or local laws; (2) comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, or local authorities; (3) cooperate with law enforcement agencies concerning conduct or activity that we reasonably and in good faith believe may violate federal, state, or local laws; or (4) exercise or defend legal claims.

Lastly, we may transfer to a third party personal information as part of a merger, acquisition, bankruptcy, or other transaction in which the third party assumes control or acquires of all or part of the assets of our business.

Of the categories of PI noted above, during the past 12 months, we disclosed the following:

Categories of Personal Information Disclosed	Categories of Third Parties to Whom Disclosed
Identifiers Other elements	<ul style="list-style-type: none"> • Third parties as directed by you. We will disclose your PI with those third parties to whom you direct.



<p>Characteristics of protected classifications under California or federal law</p> <p>Commercial information</p> <p>Education information</p> <p>Internet or other electronic network activity</p> <p>Biometric information</p> <p>Geolocation data</p> <p>Audio, electronic, visual, thermal, olfactory, or similar information</p> <p>Professional or employment-related information</p> <p>Consumer profile</p> <p>Sensitive personal information</p>	<ul style="list-style-type: none"> • Our business partners. For example, we might disclose your PI with one of our business partners for purposes of collaborating on providing services to you, or to invite you to an event we are organizing. These business partners should also have their own privacy statements that set out the manner in which they will collect, use, and disclose PI. Where applicable, we encourage you to review each such business partner's privacy statement before signing on with them. • Third parties who perform services on our behalf. For example, we disclose information with certain service providers, including marketing companies, professional service providers, debt collectors, information technology providers, and data storage companies. We might also authorize our service providers to disclosure PI on our behalf for these purposes. • Governmental entities, legal service providers. We may disclose your PI in order to comply with the law and in the course of providing our products and services and other business activities of the Company. We may also disclose information if a government agency or investigatory body submits a request. • Successors to all or portions of our business. If all or part of our business is sold, we may disclose PI in preparation for or as part of that transaction.
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Cookies, Tracking, and Certain Communications.

Cookies. As is true of most websites, we gather some PI automatically and store it in log files. Small files called "cookies" may be attached to your Web browser. These files identify your browser and save information such as passwords so that websites can recognize you. This information also may include the Internet Protocol (IP) address, browser type, language, internet service provider (ISP), referring and exit page, operating system, and date/time stamp. In addition to the purposes above, we use this PI to understand and analyze trends, to administer the Site, to learn about user behavior on the Site, and to gather demographic information about our user base as a whole. To monitor use of the Site and improve its quality, we may compile statistical information concerning the use of the Site through analytics services, such as those provided by Google Analytics. Examples of this information may include: the number of visitors to the Site or to sections or pages within the Site, patterns of traffic flowing through the Site, length of time spent on the Site, or in sections or pages of the Site, the other sites that refer visitors to the Site, the pages of the Site that visitors frequently use as entry and exit points,



utilization of the browser and operating systems and versions used by visitors to the Site. We also may use this PI in our marketing and advertising services.

Social Media Sharing. This Site may offer social media sharing features or other integrated tools, which let you share actions you take on this website with other media, and vice versa. These features may collect information about your IP address and which page you are visiting on our Site, and they may set a cookie or employ other tracking technologies. The use of such features enables the sharing of information with your friends or the public, depending on the settings you establish with the third party that provides the social sharing feature. Social media sharing features and widgets are either hosted by a third party or hosted directly on our Site. Your interactions with those features are governed by the privacy policies of the companies that provide them. For more information about the purpose and scope of data collection and processing in connection with social media sharing features, please visit the privacy policies of the third parties that provide these features.

Do Not Track. “Do Not Track” is a privacy preference that you can set in your Internet search browser that sends a signal to a website that you do not want the website operator to track certain browsing information about you. However, because our Site is not configured to detect Do Not Track signals from a user’s computer, we are unable to respond to Do Not Track requests.

Third Party Website Links. Some portions of our Site may contain links to other websites on the Internet that are neither under our control nor maintained by us. Such links do not constitute an endorsement by us of those other websites, the content displayed therein, or the persons or entities associated therewith. You acknowledge that we are providing these links to you only as a convenience, and you agree that we are not responsible for the content of such websites. Your use of these other linked websites is subject to the respective terms of use and privacy policies located on the linked websites.

Email and SMS Communications. We may collect your email address via cookies and pixels on the Site through the use of trusted third-party partners. These partners may combine your email information with other information they have access to such as mailing address so that we may send relevant marketing offers to you via direct mail.

You may elect to receive text messages from us. When you sign up to receive text messages, we will send you information about promotional offers and more. These messages may use information automatically collected based on your actions while on our Sites and may prompt messaging such as cart abandon messages. To the extent you voluntarily opt to have SMS notifications sent directly to your mobile phone, we receive and store the information you provide, including your telephone number or when you read a text message. You may opt out of receiving text messages at any time by texting “STOP” to our text messages. For more information about text messages, see our Terms of Use.

Our Sites and Children

We do not knowingly collect or solicit PI from children under 13 years of age. We are concerned about the safety of children when they use the Internet and will never knowingly request PI from anyone under the age of 13. If the parent or guardian of a child under 13 believes that the child has provided us with any PI, the parent or guardian of that child should contact us and ask to have this PI deleted from our files. If we otherwise obtain knowledge that we have PI about a child under 13 in our files, we will delete that information from our existing files so that it is not in retrievable form.



Security

While we use reasonable measures to protect our Site and your information, the Internet is not 100% secure. The measures we use are reasonable for the type of information we collect. We cannot guarantee use of our Site is 100% secure. We encourage you to use caution when using the Internet.

Notice to Site Users Located Outside the U.S.

The Company operates in accordance with the laws of the U.S. When you access our Site from outside the U.S., we may transfer the PI that we collect from you to a location outside of your jurisdiction, including the U.S. The data protection laws in these jurisdictions may not provide you with the same protections as those of your jurisdiction. By using this Site, you acknowledge that these laws may provide a different standard of protection and you consent to the transfer of your personal data to other jurisdictions, including the U.S.

Contact Us

If you have additional questions, you may call us at (800) 976-7544 or reach us by email at hr@spineandsport.com.

Changes to this Policy

Effective Date: March 21, 2024

From time to time we may change our privacy policies. We will notify you of any material changes to our Policy by posting an updated copy on our website. Please check our Site periodically for updates.

Notice to California Residents

Eraser Law. If you are a California resident under the age of 18, and a registered user of any Site where this Policy is posted, California law permits you to request and obtain removal of content or information you have publicly posted. You may submit your request using the contact information in this Policy. Please be aware that such a request does not ensure complete or comprehensive removal of the content or information you have posted and that there may be circumstances in which the law does not require or allow removal even if requested.

California Consumer Privacy Act. The section concerning the California Consumer Privacy Act ("CCPA Section") applies solely to individuals who are residents of the State of California ("consumers" or "you") as required under the California Consumer Privacy Act, as amended ("CCPA"). This CCPA Section describes our policies and practices regarding the collection, use, and disclosure of personal information we collect about you, including personal information we obtain when you access or use the Site, or through other channels including but not limited to visiting one of our locations, phone and email conversations, attending our events, social media interactions on our websites and other third party websites such as social media sites, viewing our emails, or through our authorized services providers.



This CCPA Section supplements and amends the information contained in the Policy with respect to California residents. Any terms defined within the CCPA have the same meaning when utilized within this CCPA Section. All other terms shall have the meaning set forth in the Policy or Terms of Use as applicable. The other provisions of the Policy continue to apply except as modified in this CCPA Section.

Please read this CCPA Section carefully before using the Site or submitting information to us. By accessing or visiting the Site, you indicate your understanding that the collection, use, and sharing of your information is subject to the terms of this CCPA Section.

IF YOU DO NOT CONSENT TO THE COLLECTION, USE, AND DISCLOSURE OF YOUR PERSONAL INFORMATION AS DESCRIBED IN THIS CCPA SECTION, PLEASE DO NOT PROVIDE US WITH SUCH INFORMATION.

Right To Know About Personal Information Collected or Disclosed. We generally describe in this Privacy Policy our current and practices for the prior 12 months related to the categories of personal information we collect, how we collect and use the personal information, and how we disclose your personal information. In addition to what is described above, as a California resident, you also have the right to request more information regarding the following topics for the preceding 12 months, to the extent applicable:

- the categories of personal information,
- the categories of sources from which the personal information is collected,
- the business or commercial purpose for collecting, selling, or sharing personal information, if applicable,
- the categories of third parties to whom the business discloses personal information, and
- the specific pieces of personal information the business has collected about you.

Upon receipt of a verifiable consumer request (see below), and as required by the CCPA, we will provide a response to such requests. Any disclosures we provide will only cover the 12-month period preceding the receipt of your verifiable consumer request. With respect to personal information collected on and after January 1, 2022, and to the extent expressly required by applicable regulation, you may request that such disclosures cover a period beyond the 12 months referenced above, provided doing so would not require a disproportionate effort by us.

Right To Request Deletion Of Your Personal Information. You have the right to request that we delete the personal information we collected or maintained about you. Once we receive your request, we will let you know what, if any, personal information we can delete from our records, and we will direct any service providers and contractors with whom we disclosed your personal information to also delete your personal information from their records.

There may be circumstances where we cannot delete your personal information or direct service providers or contractors to delete your personal information from their records. Some of these instances include, but are not limited to, if we need to:

- Complete the transaction for which the PI was collected, provide a good or service requested by you, or reasonably anticipated by you within the context of our ongoing business relationship with you, or otherwise perform a contract between the Company and you.



- Help to ensure security and integrity to the extent the use of the consumer's PI is reasonably necessary and proportionate for those purposes.
- Debug to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act pursuant to Chapter 3.6 (commencing with Section 1546) of Title 12 of Part 2 of the Penal Code.
- Engage in public or peer-reviewed scientific, historical, or statistical research that confirms or adheres to all other applicable ethics and privacy laws, when the Company's deletion of the information is likely to render impossible or seriously impair the ability to complete such research, if you have provided informed consent.
- To enable solely internal uses that are reasonably aligned with your expectations based on your relationship with the Company and compatible with the context in which the consumer provided the information.
- Comply with a legal obligation.

Upon receipt of a verifiable consumer request (see below), and as required by the CCPA, we will provide a response to such requests.

Right to Request Correction. You have the right to request that the Company correct any inaccurate personal information we maintain about you, taking into account the nature of that information and purpose for processing it. Upon receipt of a verifiable consumer request (see below), and as required by the CCPA, we will provide a response to such requests.

Right to Non-Discrimination for the Exercise of Your Privacy Rights. We will not discriminate against you for exercising any of your rights under the CCPA, as described above. This includes, but is not limited to: (A) denying good or services to you; (B) charging you different prices or rates for goods or services, including through the use of discounts or other benefits or imposing penalties; (C) providing a different level or quality of goods or services; or (D) suggesting that you will receive a different price or rate for goods or services or a different level or quality of goods or services. It also includes an employee's, applicant's, or independent contractor's right not to be retaliated against for the exercise of their CCPA rights.

Submitting Consumer Rights Requests

How to submit. To submit a California Consumer Rights request as outlined in this CA Addendum, please contact the Company by calling us at (800) 976-7544 or emailing us at hr@spineandsport.com. We reserve the right to only respond to verifiable consumer requests to know, delete, or correct. A verifiable consumer request is one made by any individual who is:

- the consumer who is the subject of the request,
- a consumer on behalf of the consumer's minor child, or
- the authorized agent of the consumer.

What to submit. If we request, you must provide us with sufficient information to verify your identity and/or authority to act on behalf of a consumer. In general, we may ask you to provide identifying



information that we already maintain about you or we may use a third-party verification service. In either event, we will try to avoid asking you for sensitive PI to verify your identity. We may not be able to respond to your request or provide you with PI if we cannot verify your identity or authority to make the request and confirm the PI relates to you. However, making a verifiable consumer request does not require you to create an account with us.

Additionally, you will need to describe your request with sufficient detail to allow us to review, understand, assess, and respond. We will not use the PI we collect from an individual to determine a verifiable request for any other purpose, except as required or permitted by law.

Our response. We reserve the right to charge a fee to process or respond to your request if it is excessive, repetitive, or manifestly unfounded. If we determine that a request warrants a fee, we will attempt to notify you as to why we made that decision and provide a cost estimate before completing your request. We will endeavor to respond to a verifiable consumer request within forty-five (45) calendar days of receipt, but we may require an extension of up to forty-five (45) additional calendar days to respond and we will notify you of the need for the extension.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option. The response we provide will also explain the reasons we cannot comply with a request, if applicable. To the extent permitted by the CCPA, we will respond to no more than two requests during any 12-month period.

Authorized Agent. You may authorize a natural person or a business (the Agent) to act on your behalf with respect to the rights under this CA Addendum. When you submit a Request to Know, Correct, or Delete, the Agent must provide proof that you gave the Agent signed permission to submit the request, and you either must (i) verify you own identity with the business or (ii) directly confirm with us that you provide permission to the Agent. However, these steps are not required when you have provided the authorized agent with power of attorney pursuant to Probate Code sections 4000 to 4465. We reserve the right to deny requests from persons or businesses claiming to be authorized agents that do not submit sufficient proof of their authorization.

Questions. If you have questions about this CA Policy, please contact us as described above in the Policy.