

eCommunications Disclosure Agreement

Please read this Electronic Communications Disclosure ("eCommunications Disclosure") thoroughly - It contains important information about your legal rights. This eCommunications Disclosure covers all of your patient accounts with your provider and athenahealth, Inc. ("we", "us", and "our") accessible, either currently or in the future, through the Patient Portal (whether accessed through a personal computer or mobile device), our websites, or other electronic means.

(1) Your Legal Rights

Certain laws and regulations require us to provide specific information to you in writing, which means you have a right to receive that information on paper. We may provide such information to you electronically if we first present this eCommunications Disclosure and obtain your consent to receive the information electronically. Your consent will also apply to any other person named on your account, subject to applicable law. Since certain documentation associated with your patient account is provided online and we may use electronic means to deliver some of this information, you must consent to this eCommunications Disclosure in order to use these services. At times, we may still send you paper communications, but as a basic proposition we need to know that you are willing to receive communications electronically that we may otherwise be required to provide on paper and that you have the hardware and software needed to access to this information (and note that in Section No. 3 below, we explain ways to obtain selected disclosures or other information on paper even after you have consented to this eCommunications Disclosure).

(2) Types of Electronic Communications You Will Receive

You understand and agree that we may provide to you in electronic format only, by posting the information on the Patient Portal, through e-mail (if applicable and if you have provided a valid e-mail address), or other electronic means, agreements, disclosures, notices, and other information and communications regarding your patient account ("Communications"). Such Communications may include, but are not limited to:

This eCommunications Disclosure and any updates;

Disclosures, agreements, notices and other information related to your patient account including, but not limited to, account agreements, payment plans or other disclosures or notices that may be required by applicable federal or state laws and regulations;

Periodic, annual, monthly or other statements, disclosures and notice relating to the maintenance or operation of an account, product or services associated with the Patient Portal, or other statements, disclosures or notices that may be required by applicable federal or state laws and regulations;

Any notice of the addition of new terms and conditions or the deletion or amendment of existing terms and conditions applicable to your patient accounts;

Our Privacy Statement and other notices (by posting such notices on our website); and

Certain information or forms that we request from you and ask you to submit electronically, such as new patient documentation, health history questionnaires, or other pertinent documentation.

Medical forms related to or in anticipation of a appointment.

Acknowledgment of certain policies that we request from you and ask you to submit electronically.

(3) Setting Your Electronic Communications Preferences

After you consent to this eCommunications Disclosure you will receive all categories of Communications, except those referenced in Section No. 4 below, in electronic format only. You understand that to access these Communications you are responsible for creating and maintaining an account in our Patient Portal. If you do not have a Patient Portal account, you can access these forms by contacting your provider's office and requesting them. For more information on the availability of your electronic communications preference management options, please refer to the Patient Portal, and once you have created an account, you can set and change your communication preferences under "my profile" then "contact preferences". If you do not have a Patient Portal account, you can speak to your provider about your communications preferences.

(4) Types of Communications You Will Receive in Paper

This eCommunications Disclosure does not apply to any communications that we determine, in our sole discretion, that we are required to deliver in paper form under applicable law or that you should receive in paper rather than electronic form.

Such communications shall be mailed to the primary address we show for you in our records or otherwise delivered as required by law or the governing agreement.

(5) Minimum Requirements and Security

While you may be able to access and retain the Communications using other hardware and software, we currently support the following minimum requirements:

A personal computer equipped with an Internet browser that has 128-bit encryption enabled and configured to accept cookies (e.g., Internet Explorer 7 or 8, Safari, or Firefox; Internet Explorer 6 may not allow you to view some materials, such as test results); and Internet access, a valid email account, software to receive and read email messages, and spam filters set to accept email from our domain.

Most Communications provided within our websites are provided either in HTML and/or PDF format. For Communications provided in PDF format, Adobe Reader 6.0 or later versions is required - A free copy of Adobe Reader may be obtained from the Adobe website at www.adobe.com.

In certain circumstances, some Communications may be provided by e-mail. You are responsible for providing us with a valid e-mail address to accept delivery of Communications. At our option, we may also post the emailed Communications within our websites. In this situation, you agree that once we email the Communications to you and post them within our websites, including the Patient Portal, that we have delivered the Communications to you in a form that you can access and retain.

To print or download Communications you must have a printer connected to your device or sufficient hard-drive or other storage space to store the Communications.

(6) How to Withdraw Your Consent to this eCommunications Disclosure

Subject to applicable law, you may withdraw your consent to this eCommunications Disclosure by logging into your Patient Portal account and reviewing your communication preferences under "my profile" and then "contact preferences". If you do not have a Patient Portal account, you can contact your provider to withdraw your consent to this eCommunications Disclosure.

Remember that you can always set your Communications preferences as described in Section No. 3 above without withdrawing your consent to this eCommunications Disclosure.

Consent Coverage; Certain Notices From You Are Not Covered. Applicable law or

contracts sometimes require you to give us "written" notices. You must still provide these notices to us on paper. Your consent here does not relate to those notices.

(7) Obtaining Copies of Electronic Communications.

You may print or make a copy of Communications by using the "Print" button (or otherwise using your printing functionality) or saving a copy - do this when you first review the Communications because after submission we do not necessarily keep them all in a place that you can access. Upon request, we will provide you with a paper copy of any Communications provided electronically by us to you pursuant to this eCommunications Disclosure, provided we receive your request within 12 months after the date the Communication was first made available to you electronically. You may request a paper copy of these Communications by calling your provider. Be sure to specify the Communication for which you are requesting a paper copy, and the address to which it should be mailed. You may be charged fees for paper copies of the Communications.

(8) Updating Your Contact Information

In the event that your e-mail address or other contact information is changed, you must notify us of such changes immediately by logging into your Patient Portal account and navigating to "my profile," and then "contact information". If you do not have a Patient Portal account, please contact your provider to update your contact information, including your e-mail address.

If you fail to update or change an incorrect or invalid e-mail address or other contact information, you understand and agree that any Communications shall nevertheless be deemed to have been provided to you if they were made available to you in electronic form on our websites, e-mailed to the e-mail address we have for you in our records, or delivered through other electronic means.

(9) Retain Copies for Your Records

We recommend that you print or download a copy of this eCommunications Disclosure, the applicable service agreement and all other Communications, including our Privacy Statement to retain for your permanent records.