

# PRIVACY RULE

## NOTICE OF HEALTH INFORMATION PRACTICES

This notice describes how medical information about you may be used and disclosed and how you can get access to this information. Please review it carefully.

### UNDERSTANDING YOUR HEALTH RECORD/INFORMATION

Each time you visit a hospital, physician or other health care provider, a record of your visit is made. Typically, this record contains your symptoms, examination and test results, diagnoses, treatment and a plan for future care or treatment. This information, often referred to as your health or medical record, serves as:

- a basis for planning your care and treatment
- a means of communication among the many health professionals who contribute to your care
- a legal document describing the care you received
- a means by which you or a third party payer can verify that services billed were actually provided
- a tool in educating health professionals
- a source of data for medical research
- a source of information for public health officials charged with improving the health of the nation
- a source of data for facility planning and marketing
- a tool with which we can assess and continually work to improve the care we render and the outcomes we achieve
- an understanding of what is in your record and how your health information is used to help you to:
  - ensure its accuracy
  - better understand who, what, when, where and why others may access your health information
  - make more informed decisions when authorizing disclosure to others

### YOUR HEALTH INFORMATION RIGHTS

Although your health record is the physical property of the health care practitioner or facility that compiled it, the information belongs to you. You have the right to:

- request a restriction on certain uses and disclosures of your information as provided by 45 CFR 164.522
- obtain a paper copy of the notice of information practices upon request
- inspect and copy your health record as provided for in 45 CFR 164.524
- amend your health record as provided in 45 CFR 164.528
- obtain an accounting of disclosures of your health information as provided in 45 CFT 164.528
- revoke your authorization to use or disclose health information

### OUR RESPONSIBILITIES

This organization is required to:

- maintain the privacy of your health information
- provide you with a notice as to our legal duties and privacy practices with respect to information we collect and maintain about you
- abide by the terms of this notice
- notify you if we are unable to agree to a requested restriction
- accommodate reasonable requests you may have to communicate health information by alternative means or at alternative locations

We reserve the right to change our practices and to make the new provisions effective for all protected health information we maintain. Should our information practices change, an updated copy will be posted on our website. We will not use or disclose your health information without your authorization except as described in this notice.

### FOR MORE INFORMATION OR TO REPORT A PROBLEM

If you have questions or would like additional information, please contact our Privacy Officer at [info@nilayshah.net](mailto:info@nilayshah.net). If you believe your privacy rights have been violated, you may file a complaint with our Privacy Officer or the Secretary of Health and Human Services. There will be no retaliation for filing a complaint.

### EXAMPLES OF DISCLOSURES FOR TREATMENT, PAYMENT AND HEALTH OPERATIONS

- **FOR TREATMENT** — Information obtained by a nurse, physician or other member of your health care team will be recorded in your record and used to determine the course of treatment that should work best for you. Your physician will document his/her expectations of the members of your health care team. Members of your health care team will then record the actions they took and their observations. That way, the physician will know how you are responding to treatment. We will also provide a subsequent health care provider with copies of various reports that should assist him/her in treating you once you are discharged from this office.
- **FOR PAYMENT** — A bill may be sent to you or a third party payer. The facts on or accompanying the bill may include information identifying you, as well as your diagnosis, procedures performed and supplies used.
- **FOR HEALTH OPERATIONS** — Members of the medical staff, risk/quality improvement manager or members of the Quality Improvement Team may use information in your health record to assess the care and outcomes in your case or others like it. This information will then be used in an effort to continually improve the quality and effectiveness of the health care services we provide.

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## PRIVACY RULE • NOTICE OF HEALTH INFORMATION PRACTICES *cont'd.*

- **BUSINESS ASSOCIATES** — Some services are provided for our organization through business associates. Examples include diagnostic services, laboratory tests and copy services. When these services are performed, we may disclose your health information so the business associates are able to perform the job we have asked them to do. This may result in a bill to you or your third party payer for services rendered. We require the business associate to appropriately safeguard your information.
- **FOR NOTIFICATION** — We may use or disclose information to notify or assist in notifying a family member, personal representative or other person responsible for your care, your location and general condition. We will use the voicemail at numbers provided by you to relay messages regarding your health care needs and/or appointment reminders.
- **COMMUNICATION WITH FAMILY** — Health professionals using their best judgment, may disclose to a family member, other relative, close personal friend or any other person you identify, health information relevant to their involvement in your care and/or payment related to your care.
- **RESEARCH** — Information may be disclosed to researchers when their research has been approved by an institutional review board that has reviewed the research proposal and established protocols to ensure the privacy of your health information.
- **FUNERALS** — We may disclose information, consistent with applicable law, to funeral directors in order for them to carry out their duties.
- **ORGAN PROCUREMENT ORGANIZATIONS** — Consistent with applicable law, we may disclose health information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs for the purpose of tissue donation and transplantation.
- **MARKETING** — We may provide you with information about treatment alternatives or other health related benefits and services that may be of interest to you.
- **FUNDRAISING** — We may contact you as part of a fundraising effort.
- **FOOD AND DRUG ADMINISTRATION** — We may disclose to the FDA health information relative to adverse events with respect to food, supplements, products or post-marketing surveillance information to enable product recalls, repairs or replacement.
- **WORKERS COMPENSATION** — We may disclose health information to the bureau of workers compensation, as established by law.
- **PUBLIC HEALTH** — As required by law, we may disclose your health information to public health or legal authorities charged with preventing or controlling disease, injury or disability.

- **CORRECTIONAL INSTITUTION** — Should you be an inmate of correctional institution, we may disclose to that institution or agents there of health information necessary for your health and the health and safety of other individuals.
- **LAW ENFORCEMENT** — We may disclose health information for law enforcement purposes as required by law or in response to a subpoena.

Federal law makes provisions for your health information to be released to an appropriate health oversight agency, public health authority or attorney provided that an employee or business associate believes, in good faith, that we have engaged in unlawful conduct or have otherwise violated professional or clinical standards and are potentially endangering patients, employees or the public.

### PATIENT BILL OF RIGHTS

The American Medical Association Council on Ethical and Judicial Affairs considers the following patient's rights to be fundamental:

- The patient has the right to receive information from physicians and to discuss benefits, risks and costs of appropriate treatment alternatives. Patients should receive guidance from their physicians as to the optimal course of action. Patients are also entitled to obtain copies or summaries of their medical records, to have their questions answered, to be advised of potential conflicts of interest that their physicians might have and to receive independent professional opinions.
- The patient has the right to make decisions regarding the health care that is recommended by his or her physician. Accordingly, patients may accept or refuse any recommended medical treatment.
- The patient has the right to courtesy, respect, dignity, responsiveness and timely attention to his or her needs.
- The patient has the right to confidentiality. The physician should not reveal confidential communications or information without the consent of the patient, unless provided by law or by the need to protect the welfare of the individual or the public interest.
- The patient has the right to continuity of health care. The physician has an obligation to cooperate in the coordination of medically indicated care with other health care providers treating the patient. The physician may not discontinue treatment of a patient, as long as further treatment is medically indicated, without giving the patient sufficient opportunity to make alternative arrangements for care.
- The patient has a basic right to have available adequate health care. Physicians, along with the rest of society, should continue to work toward this goal. Fulfillment of this right is dependent on society providing resources so that no patient is deprived of necessary care because of an inability to pay. Physicians should continue their traditional assumption of a part of the responsibility for the medical care of those who cannot afford essential health care.

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