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Notice of Privacy 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.

Introduction

Protecting the privacy of a patient's medical information is an aspect of our Doctor's Hippocratic Oath and has always been an important part of our patient relationship. There are now new regulations, however, that relate to patient privacy protection. We have created this Notice of Privacy Practices in order to follow the current law and must, under the new laws, provide you with the notice of our legal duties and privacy practices. We are required by law to protect the privacy of your Protected Health Information. Our office must follow the policies that are described in the Notice.

Please read this Notice carefully, as we must ask for your acknowledgement that you have read and understood it. If you have any further questions, please do not hesitate to ask us. We have a Privacy Officer in our office who will answer any questions you may have about this Notice or our office privacy procedures. And, you are entitled to a copy of this document and if you would like it, please ask us and we will be happy to give it to you.

Uses and Disclosures of Protected Health Information without Patient's Authorization

There are several circumstances in which we are allowed to use or disclose your health data without your authorization. We will disclose your protected health information for reasons related to your treatment, the payment of our health care services or our operations.

We will only use and/or disclose your protected health information when the law allows us to do so. Any other use or disclosures will be made only with your authorization and, in those instances: you have the right to revoke that authorization. And, if so, that authorization would be honored, where legal to do so, from that date forward.

Treatment: For example, from time to time, our doctor may decide that it is medically necessary to refer you to another specialist for additional care. That doctor will need your medical information in order to be able to treat you and that is why we send out your records.

Payment: Many of our patients have medical insurance that actually pays for their medical treatment. The insurers require your medical information to know how to pay us for your care and that is why we send out your records.

Healthcare Operation: We are allowed to disclose your medical information if that is necessary for our office to function efficiently. There are also times when we may need help of a special vendor, such as a medical billing specialist, and we would then send your records to that vendor in order for us to carry on our business.

There are certain other occasions when we are lawfully allowed to use or disclose your health information without your authorization. Those situations are more likely what you would expect from us, but just so you are aware of them, they are:

1. **When required by law:** If the use or disclosure of your medical information is required of us by Law, we will comply with the law but will limit our use to disclose to the relevant requirements by law.
2. **For certain limited public health activities:** There are certain authorities (like the Food and Drug Administration), which are authorized to collect information for the purpose of preventing or controlling disease of injury. Other agencies, such as those that obtain information regarding child abuse reports, also require information from physician offices. Still others have the right to obtain personal data to maintain

- vital statistics (such as birth and death records). If one of these agencies requires us to give them your health data, we will.
3. **Necessary for the reporting of victims of abuse, neglect or domestic violence:** If in the exercise of our professional judgment, we believe disclosure is necessary to prevent serious harm, we will provide your health data to any governmental authority authorized by law to receive reports of abuse, neglect or domestic violence.
 4. **For certain health oversight activities:** Sometimes we are asked to provide information to oversight agencies for activities authorized by law. These activities include, but are not limited to, criminal investigations, civil rights inquiries, inspections, audits, and work of that nature. We will cooperate with these legal authorities and provide data to them as per their statutory authorizations.
 5. **For judicial and administrative proceedings:** We will also disclose your health data if we are required to do so under court order or subpoena. If we receive this kind of a request, we will make sure this inquiry fits the criteria we must follow for the release of your data for these proceedings. Those criteria require that we only release information sought for a specific request that has a legitimate purpose. We cannot and will not produce more data than we have to and we will try to delete as much of your personal information as the law allows.
 6. **For law enforcement purposes:** The law allows us to disclose your medical information in response to legitimate lawful (such as from a legitimate law enforcement agency or in response to a subpoena) as follows:
 - a.) If the law requires the reporting of certain injuries.
 - b.) If the data is sought to help law enforcement agencies locate a suspect or missing person (and then we only have to provide limited descriptive data).
 - c.) If the request relates to a crime victim or some one who has died.
 - d.) If there has been a crime on our office premises.
 7. **About descendants:** If asked, we may disclose health data for the purpose of identifying someone who has died. Sometimes, funeral directors need health data in order to perform their duties. In those cases, we may also provide that information.
 8. **For cardiac organ, eye or tissue donation purposes:** The law allows us to provide health data for organ donations.
 9. **For research:** If the appropriate authorities approve the privacy protection policies of a research organization, we may allow the disclosure of health information to the research organization.
 10. **To avert a serious threat to health or safety:** We may also choose to report health data if we believe that it is necessary to diminish a threat to anyone's health and safety.
 11. **For specialized government functions:** There are certain instances involving the government wherein we will provide your health data consistent to the applicable law. These involve veterans who need medical data for continues benefits for armed services personnel who are leaving their branch of the service. We will also provide health data for national security and intelligence purposes or for protective services for the President of the United States or some foreign dignitaries.
 12. **For limited purposes for worker's compensation:** We are allowed to give out your health information as authorized in order to comply with workers compensation or work-related injury laws or proceedings.

Patients Rights to Protected Health Information

1. **You have the right to request that we restrict our disclosures of your medical information.** You may ask that we limit the use and disclosure of health information; we are not required to accept your request. If we do agree however, we will do as you wish in an emergency. You may submit your request to us in writing (to the person at the bottom of this Notice) and tell us:
 - a.) What information you want us to limit.
 - b.) How you want us to limit the disclosure of you health information to certain people.
2. **You have the right to receive confidential communication by alternate means or alternate locations:** You may ask us to send your information to you at an address that is different from the one's you've asked us to use. Please make the request in writing to our Privacy Officer at the address at the bottom of this Notice. We will agree, so long as your request is reasonable, but you must tell us how much to communicate with you and you must give us a complete address or contact information.
3. **You have the right to request access to your medical information maintained in the medical or billing records (or any of the records that we rely upon for decisions about your medical treatment) except for:**
 - a.) Psychotherapy notes.
 - b.) Information that we gather in preparation of administrative action proceeding.
 - c.) Data that is subject to certain provisions of the Clinical Laboratory Improvements Act. We may deny your request (in writing) under certain limited circumstances and there are some situations in

which you may appeal our decision to deny your request. Generally, if we agree to provide you with a copy of your records, we will do so within 30 days after you ask for it, so long as your chart is in our office.

4. **You have the right to ask us to amend your medical information. We have the right to deny that request if you ask about medical information:**
 - a.) Was not created by any of our doctors.
 - b.) The information is not part of the medical or billing records (or any of the records that we rely upon for decisions about your medical treatment).
 - c.) Is not part of the records you may access.
 - d.) The medical information is accurate and complete. We may ask that you tell us, in writing, why you want us to amend your medical information. Generally, we must act upon your request within 60 days after receipt of your request. If we agree to your request we must make the appropriate amendment and follow the law regarding how and whom we inform about this amendment. If we do not agree, then we will tell you our reasons. You then have additional rights, including an appeal (by someone who did not participate in the decision not to allow you to amend your record) and you have the right to submit a written statement of disagreement.
5. **You have the right to know how and to whom we've used or disclosed any of our medical information that identifies you. We are required to give you that data except for any use or disclosure:**
 - a.) For treatment, payment and/or health care operations.
 - b.) Made with your authorization.
 - c.) That we make to you.
 - d.) For any national security or intelligence purposes.
 - e.) Made before April 14, 2003.
 - f.) That does not require authorization. We will provide this data to you (generally, within 60 days) at no charge once each year, but after that, we will require that you pay a reasonable fee-based charge for the information.

How We Communicate With You

We believe that it is important for you to have access to extremely important medical information as soon as it is available. For that reason, we leave a message for you on your answering machine and ask that you call us back to discuss this matter. Our doctor sometimes needs to be able to communicate quickly about your health information, too. For example, if you have a medical emergency, our doctor may get a page and will return that call on a cell phone. These days, conversations on cell phones are not completely secure, but they are often the fastest method of communication.

We also understand that with all that you do in your life, you may not remember to call us for your next visit. For that reason, we will remind you of your next appointment with the doctor. From time to time, we may also contact you to let you know of health services we have developed in our office.

If you want to file a complaint about any violation of our Privacy Practices or if you believe that we have somehow failed to follow our Privacy Policies:

The U.S. Department of Health and Human Service Office of Civil Rights
200 Independence Avenue, S.W.
Washington, D.C. 20201
202-619-0257
Toll Free: 1-877-696-6775

Please contact our Chief Privacy Office at the address at the bottom of our Notice. We cannot and will not retaliate against you if you file a complaint.

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