

NOTICE OF PRIVACY PRACTICES

Effective September 23, 2013

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.

Use and Disclosure of Health Information

Hospice of Huntington, its staff and business associates, may use your health information for purposes of providing your treatment, obtaining payment for your care, and conducting health care operations.

The following is a summary of why your health information may be used and shared.

To Provide Treatment

Hospice of Huntington may use your health information to coordinate care within hospice and with others involved in your care, such as attending physician, members of the hospice interdisciplinary team and other health care professionals who have agreed to assist hospice in coordinating care. For example, hospice will provide physicians involved in your health care information about your symptoms in order to prescribe appropriate medications. Pharmacists, suppliers of medical equipment or other health care professionals that hospice uses in order to coordinate your care may also receive this information. Hospice also may share your health care information to individuals outside of hospice involved in your care including family members or clergy whom you have designated.

To Obtain Payment

Hospice may include your health information in invoices to collect payment from third parties for the care you may receive from hospice. For example, hospice may be required by your health insurer to provide information regarding your health care status so that the insurer will reimburse you or hospice. Hospice may need to obtain prior approval from your insurer and may need to explain to the insurer your need for hospice care and the services that will be provided to you.

To Conduct Health Care Operations

Hospice may use and share health care information for its own operations in order to facilitate the function of hospice and as necessary to provide quality care to all of hospice's patients. Health care operations include such activities as:

- Quality assessment and improvement activities
- Activities designed to improve health or reduce health care costs
- Protocol development, case management and care coordination
- Contacting health care providers and patients with information about treatment alternatives and other related functions that do not include treatment
- Professional review and performance evaluation
- Training programs including those in which students, trainees or practitioners in health care learn under supervision
- Training of non-health care professionals
- Accreditation, certification, licensing or credentialing activities
- Review and auditing, including compliance reviews, medical reviews, legal services and compliance programs
- Business planning and development, including cost management and planning related analyses and formulary development
- Business management and general administrative activities of hospice
- Fundraising for the benefit of hospice and certain marketing activities

For example, hospice may use your health information to evaluate its staff performance, combine your health information with other hospice patients in evaluating how to more effectively serve all hospice patients, disclose your health information to hospice staff and contracted personnel for training purposes, use your health information to contact you as a reminder regarding a visit.

Right to Opt Out

You may opt out of mailings for fundraising by contacting our office and requesting this.

When Legally Required

Hospice will disclose your health information when it is required to do so by any Federal, State or local law.

When There Are Risks to Public Health

Hospice may disclose your health information for public activities and purposes in order to:

- Prevent or control disease, injury or disability, report disease, injury, vital events, such as birth or death and the conduct of public health surveillance, investigations and interventions
- Report adverse events, product defects, to track products or enable product recalls, repairs and replacements and to conduct post-marketing surveillance and compliance with requirements of Food and Drug Administration
- Notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease
- Notify an employer about an individual who is a member of the workforce as legally required

To Report Abuse, Neglect or Domestic Violence

Hospice is required by law to notify authorities if hospice believes or suspects a patient is the victim of abuse, neglect or domestic violence.

To Conduct Health Oversight Activities

Hospice may share your health information to a health oversight agency for activities, including audits, civil administrative or criminal investigation, inspection, licensure or disciplinary action. Hospice, however, may not disclose your health information if you are the subject of an investigation and your health information is not directly related to your receipt of health care or public benefits.

In Connection with Judicial and Administrative Proceedings

Hospice may disclose your health information in the course of any judicial or administrative proceeding in response to an order of a court or administrative tribunal as expressly authorized by such order in response to a subpoena, discovery request or other lawful process, but only when hospice makes reasonable efforts to either notify you about the request or to obtain an order protecting your health information.

For Law Enforcement Purposes

Hospice may share your health information with law enforcement officials for law enforcement purposes as follows:

- As required by law for reporting of certain types of wounds or other physical injuries pursuant to the court order, warrant, subpoena or summons or similar process
- For the purpose of identifying or locating a suspect, fugitive, material witness or missing person
- To a law enforcement official if hospice has a suspicion that your death was the result of criminal conduct at hospice
- In an emergency in order to report a crime

To Coroners and Medical Examiners

Hospice may disclose your health information to coroners and medical examiners for purposes of determining your cause of death or for other duties, as authorized by law.

To Funeral Directors

Hospice may disclose your health information to funeral directors consistent with applicable law and, if necessary, to carry out their duties with respect to your funeral arrangements. If necessary to carry out their duties, hospice may disclose your health information prior to and in reasonable anticipation of your death.

For Organ, Eye or Tissue Donation

Hospice may use or share your health information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs, eyes or tissue for the purpose of facilitating the donation and transplantation.

For Research Purposes

Hospice may, under very select circumstances, use your health information for research. Before hospice shares any of your health information for such research purposes, the project will be subject to an extensive approval process. Hospice will de-identify any public health information used or disclosed for research purposes.

In the Event of a Serious Threat to Health or Safety

Hospice may, consistent with applicable law and ethical standards of conduct, share your health information if hospice, in good faith, believes that sharing such information is necessary to prevent or lessen a serious threat to your health or safety or to the health and safety of the public.

For Specified Government Function

In certain circumstances, the Federal regulations authorize hospice to use or share your health information to facilitate specified government functions relating to military and veterans, national security and intelligence activities, protective services for the President and others, medical suitability determinations and inmates and law enforcement custody.

For Worker's Compensation

Hospice may release your health information for worker's compensation or similar programs.

Other than what is stated, hospice will not share your health information other than with your written authorization. If you or your representative authorizes hospice to use or disclose your health information, you may revoke that authorization in writing at any time.

Your rights regarding your medical records:

- **RIGHT TO REQUEST RESTRICTIONS:** You may request restrictions on certain uses and disclosures of your health information. You have the right to request a limit on hospice's disclosure of your health information to someone who is involved in your care or the payment of your care. However, hospice is not required to agree to your request. You do have the right to restrict disclosure of protected health information to a health plan related to a service for which you have paid out of pocket in full. If you wish to make a request for restrictions, please contact our Hospice of Huntington office and ask to speak with Medical Records.
- **RIGHT TO RECEIVE CONFIDENTIAL COMMUNICATIONS:** You have the right to request that hospice will communicate with you in a certain way. For example, you may ask that hospice only conduct communications pertaining to your health information with you privately with no other family

members present. If you wish to receive confidential communications, please contact your hospice social worker. Hospice will not request that you provide any reasons for your request and will attempt to honor your reasonable requests for confidential communications.

- **RIGHT TO INSPECT AND OBTAIN A COPY OF YOUR HEALTH INFORMATION:** A written request may be made to the Medical Records Department, 1101 Sixth Avenue, Huntington, WV 25701. Records may be requested in an electronic or hard copy form. A reasonable fee for copying and/or assembling your records may apply.
- **RIGHT TO AMEND HEALTH CARE INFORMATION:** If you or your representative believes that your health information records are incorrect or incomplete, you may request that hospice amend the records. That request may be made as long as the information is maintained by hospice. A request for an amendment of records must be made in writing to the Hospice Medical Records Department. Hospice may deny the request if it is not in writing or does not include a reason for the amendment. The request also may be denied if your health information you wish to amend is not part of the health information you or your representative are permitted to inspect and copy, or if, in the opinion of hospice, the records containing your health information are accurate and complete.
- **RIGHT TO AN ACCOUNTING:** You or your representative have the right to request an accounting of disclosures of your health information made by the hospice for any reason other than for treatment, payment or health operations. The request for an accounting must be made in writing to Hospice of Huntington located at 1101 Sixth Avenue, Huntington, WV 25701, Medical Records Department. Accounting requests may not be made for periods of time in excess of six years. Hospice would provide the first accounting you request during any 12-month period without charge. Subsequent accounting requests may be subject to a reasonable cost-based fee.
- **RIGHT TO A PAPER COPY OF THIS NOTICE:** You and your representative have a right to a separate paper copy of this notice at any time, even if you or your representative has received this Notice previously. To obtain a separate paper copy, please contact the Medical Records Department or visit www.hospiceofhuntington.org.
- **RIGHT TO NOTIFICATION:** Hospice of Huntington is required to notify a patient following a data breach. This will be completed via mail notification if and when a breach occurs.

Duties of Hospice

Hospice is required by law to maintain the privacy of your health information and to provide to you and your representative this Notice of its duties and privacy practices. Hospice is required to abide by terms of this Notice as may be amended from time to time. Hospice reserves the right to change the terms of its Notice and to make the new Notice provisions effective for all health information that it maintains. If the hospice changes the Notice, hospice will provide a copy of the revised notice to you or your appointed representative. You or your personal representative have the right to express complaints to hospice and to the Secretary of Health and Human Services if you or your representative believe that the privacy rights have been violated. Any complaints to hospice should be made in writing to the Corporate Compliance Officer. Hospice encourages you to express any concerns you may have regarding the privacy of your information. You will not be retaliated against in any way for filing a complaint.

CONTACT PERSON

For all issues regarding patient privacy and your rights under the Federal privacy standards, contact:

Hospice of Huntington | Corporate Compliance Officer
P.O. Box 464 | Huntington, West Virginia 25709
(304) 529-4217 or 1 (800) 788-5480

