

Effective Date: October 1, 2012

NOTICE OF PRIVACY 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.

A. PURPOSE OF THE NOTICE.

HPMC Occupational Medical Services (HPMC OMS) is committed to preserving the privacy and confidentiality of your protected health information (PHI) that is created and/or maintained at our clinic. PHI is defined as information, including, but not limited to demographic information collected from an individual that is created by or received from a health care provider or employer and relates to the past, present or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past present, or future payment for the provision of health care to an individual and identifies the individual or there is a reasonable basis to believe that the information can be used to identify the individual. PHI may also be a subset of Personally Identifiable Information (PII). State and federal laws and regulations require policies and procedures to safeguard the privacy of your PHI. This Notice will provide you with information regarding our privacy practices and how it applies to all of your PHI created and/or maintained at our clinic, including any information that we receive from other health care providers or facilities. The Notice describes the ways in which we may use or disclose your PHI and also describes your rights and our obligations concerning such uses or disclosures.

We will abide by the terms of this Notice, including any future revisions that we may make to the Notice as required or authorized by law. We reserve the right to change this Notice and to make the revised or changed Notice effective for PHI we already have about you as well as any information we receive in the future. We will post a copy of the current Notice, which will identify its effective date, in our clinic and on our website at <http://www.hanford.gov/amh>.

The privacy practices described in this Notice will be followed by:

1. Any health care professional authorized to enter information into your medical record created and/or maintained at our clinic;
2. All employees, students, residents, and other service providers who have access to your PHI at our clinic; and
3. Any member of a volunteer group that is allowed to help you while receiving services at our clinic.

The individuals identified above will share your PHI with each other for purposes of treatment, payment, and health care operations, as further described in the Notice.

B. USES AND DISCLOSURES OF HEALTH INFORMATION FOR TREATMENT, PAYMENT, AND HEALTH CARE OPERATIONS.

1. **Treatment, Payment and Health Care Operations.** The following section describes different ways that we may use and disclose your PHI for purposes of treatment, payment, and health care operations. We explain each of these purposes below and include examples of the types of uses or disclosures that may be made for each purpose. We have not listed every type of use or disclosure, but the ways in which we use or disclose your information will fall under one of these general categories.
 - a. **Treatment.** We may use your PHI to provide you with health care treatment and services. We may disclose your PHI to doctors, nurses, nursing assistants, medication aides,

technicians, medical and nursing students, rehabilitation therapy specialists, or other personnel who are involved in your health care.

For example, we may order therapy services to improve your strength and walking abilities. We will need to talk with the therapist so that we can coordinate services and develop a plan of care. We also may need to refer you to another health care provider to receive certain services. We will share information with that health care provider in order to coordinate your care and services.

Payment. We may use or disclose your PHI so that we may receive payment from the Department of Energy for the health care services you receive from us.

For example, we may use or disclose your PHI so that we may receive payment from the Department of Energy for the health care services you receive from us. The PHI disclosed for this purpose includes, but is not limited to: name, only if work related; company; date of service; appointment number; and type of visit.

b. Health Care Operations. We may use or disclose your PHI in order to perform the necessary administrative, educational, quality assurance, and business functions of our clinic.

For example, we may use your PHI to evaluate the performance of our staff in caring for you. We also may use your PHI to evaluate whether certain treatment or services offered by our clinic are effective. We also may disclose your PHI to other physicians, nurses, technicians, or health profession students for teaching and learning purposes.

C. USES AND DISCLOSURES OF HEALTH INFORMATION IN SPECIAL SITUATIONS.

We may use or disclose your PHI in certain special situations as described below (items 1 – 3). For these situations, you have the right to

limit these uses and disclosures as provided for in Section E of this Notice.

- 1. Appointment Reminders.** We may use or disclose your PHI for purposes of contacting you to remind you of a health care appointment.
- 2. Treatment Alternatives & Health-Related Products and Services.** We may use or disclose your PHI for purposes of contacting you to inform you of treatment alternatives or health-related products or services that may be of interest to you. For example, if you are diagnosed with a diabetic condition, we may contact you to inform you of a diabetic instruction class that we offer at our clinic.
- 3. Family Members and Friends.** We may disclose some of your PHI to individuals, such as family members and close friends, who are involved in your care. We may make such disclosures when: (a) we have your written agreement to do so; (b) we make such disclosures and you do not object; or (c) we can infer from the circumstances that you would not object to such disclosures. For example, if your spouse comes into the exam room with you, we will assume that you agree to our disclosure of your information while your spouse is present in the room.

We also may disclose your PHI to family members or friends in instances when you are unable to agree or object to such disclosures, provided that the attending provider feels it is in your best interests to make such disclosures and the disclosures relate to that family member or friend's involvement in your care. For example, if you present to our clinic with an emergency medical condition, we may share information with the family member or friend that comes with you to our clinic. We will use professional judgment and experience when allowing another person to pick up prescriptions, medical supplies, x-rays, or other similar PHI on your behalf. We may disclose PHI about you to an entity assisting in a disaster relief effort so that your family can be notified about your condition and location.

D. OTHER PERMITTED OR REQUIRED USES AND DISCLOSURES OF HEALTH INFORMATION.

There are certain instances in which we may be required or permitted by law to use or disclose your PHI without your permission. These instances are as follows:

- 1. As required by law.** We may disclose your PHI when required by federal, state, or local law to do so. For example, we are required by the Department of Health and Human Services (DHHS) to disclose your PHI in order to allow DHHS to evaluate whether we are in compliance with the federal privacy regulations.
- 2. Public Health Activities.** We may disclose your PHI to public health authorities that are authorized by law to receive and collect PHI for the purpose of preventing or controlling disease, injury, or disability; to report births, deaths, suspected abuse or neglect, reactions to medications; or to facilitate product recalls.
- 3. Health Oversight Activities.** We may disclose your PHI to a health oversight agency that is authorized by law to conduct health oversight activities, including audits, investigations, inspections, or licensure and certification surveys. These activities are necessary for the government to monitor the persons or organizations that provide health care to individuals and to ensure compliance with applicable state and federal laws and regulations.
- 4. Judicial or administrative proceedings.** We may disclose your PHI to courts or administrative agencies charged with the authority to hear and resolve lawsuits or disputes. We may disclose your PHI pursuant to a court order, a subpoena, a discovery request, or other lawful process issued by a judge or court of competent jurisdiction, but only if efforts have been made to (i) notify you of the request for disclosure or (ii) obtain an order protecting your PHI.
- 5. Worker's Compensation.** We may disclose your PHI to worker's compensation programs when your health condition arises out of a work-related illness or injury.
- 6. Law Enforcement Official.** We may disclose your PHI in response to a request received from a law enforcement official to report criminal activity or to respond to a subpoena, court order, warrant, summons, or similar process.
- 7. Coroners, Medical Examiners, or Funeral Directors.** We may disclose your PHI to a coroner or medical examiner for the purpose of identifying a deceased individual or to determine the cause of death. We also may disclose your PHI to a funeral director for the purpose of carrying out his/her necessary activities.
- 8. Organ Procurement Organizations or Tissue Banks.** If you are an organ donor, we may disclose your PHI to organizations that handle organ procurement, transplantation, or tissue banking for the purpose of facilitating organ or tissue donation or transplantation.
- 9. Research.** We may use or disclose your PHI for research purposes under certain limited circumstances. Because all research projects are subject to a special approval process, we will not use or disclose your PHI for research purposes until the particular research project for which your PHI may be used or disclosed has been approved through this special approval process. However, we may use or disclose your PHI to individuals preparing to conduct the research project in order to assist them in identifying patients with specific health care needs who may qualify to participate in the research project. Any use or disclosure of your PHI that is done for the purpose of identifying qualified participants will be conducted onsite at our facility. In most instances, we will ask for your specific permission to use or disclose your PHI if the researcher will have access to your name, address, or other identifying information. For example, the research is conducted in such a manner that only de-identified protected PHI is recorded by the researchers and the PHI is not removed from our premises.
- 10. To Avert a Serious Threat to Health or Safety.** The attending provider may use or disclose your PHI when necessary to prevent a serious threat to the health or safety of you or other individuals.

11. Military and Veterans. If you are a member of the armed forces, we may use or disclose your PHI as required by military command authorities.

12. National Security and Intelligence Activities. We may use or disclose your PHI to authorized federal officials for purposes of intelligence, counterintelligence, and other national security activities, as authorized by law.

13. Inmates. If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may use or disclose your PHI to the correctional institution or to the law enforcement official as may be necessary (i) for the institution to provide you with health care; (ii) to protect the health or safety of you or another person; or (iii) for the safety and security of the correctional institution.

E. USES AND DISCLOSURES PURSUANT TO YOUR WRITTEN AUTHORIZATION.

Except for the purposes identified in Sections B through D, we will not use or disclose your PHI for any other purposes unless we have your specific written authorization. You have the right to revoke a written authorization at any time as long as you do so in writing. If you revoke your authorization, we will no longer use or disclose your PHI for the purposes identified in the authorization, except to the extent that we have already taken some action in reliance upon your authorization.

Specially Protected Health Information: Unless otherwise required or permitted under law, we may need to obtain your specific authorization for disclosure of the following protected PHI:

- AIDS/HIV/ARC information
- Mental health and mental illness records
- Drug addiction, alcoholism and other substance abuse treatment records
- Developmental disabilities records
- Genetic information

Note on Authorizations and Employment: You are generally not required to provide authorizations for disclosures to your employer. However, for employment-related authorizations (drug tests, per-employment work exams, etc.) your employer may take adverse employment actions if you refuse to sign the authorization.

F. YOUR RIGHTS REGARDING YOUR HEALTH INFORMATION.

You have the following rights regarding your PHI. You may exercise each of these rights, in writing, by providing us with a completed form that you can obtain from the HPMC OMS Privacy Officer. In some instances, we may charge you for the cost(s) associated with providing you with the requested information. Additional information regarding how to exercise your rights, and the associated costs, can be obtained from the HPMC OMS Privacy Officer.

1. **Right to Inspect and Copy.** You have the right to inspect and copy PHI that may be used to make decisions about your care. We may deny your request to inspect and copy your PHI in limited circumstances. For example, if a licensed health care professional determines the inspection and copying was reasonably likely to endanger the life or physical safety of yourself or another person. If you are denied access to your PHI, you may request that the denial be reviewed by another licensed health care professional.
2. **Right to Amend.** You have the right to request an amendment of your PHI that is maintained by our clinic and is used to make health care decisions about you. We may deny your request if it is not properly submitted or does not include a reason to support your request. We may also deny your request if the information sought to be amended: (a) was not created by us, unless the person or entity that created the information is no longer available to make the amendment; (b) is not part of the information that is kept by or for our clinic; (c) is not part of the information which you are permitted to inspect and copy; or (d) is accurate and complete.
3. **Right to an Accounting of Disclosures.** You have the right to request an accounting of the disclosures of your PHI made by us.

This accounting will not include disclosures of PHI that we made for purposes of treatment, payment or health care operations or pursuant to a written authorization that you have signed.

4. **Right to Request Restrictions.** You have the right to request a restriction or limitation on the PHI we use or disclose about you for treatment, payment, or health care operations. You also have the right to request a limit on the PHI we disclose about you to someone, such as a family member or friend, who is involved in your care or in the payment of your care. For example, you could ask that we not use or disclose information regarding a particular treatment that you received. We are not required to agree to your request. For example, we may make a disclosure relating to a serious and imminent threat. If we do agree, that agreement must be in writing and signed by you and us.
5. **Right to Request Confidential Communications.** You have the right to request that we communicate with you about your health care in a certain way or at the HPMC OMS main office. For example, you can ask that we only contact you at work or by mail.
6. **Right to a Paper Copy of this Notice.** You have the right to receive a paper copy of this Notice. You may ask us to give you a copy of this Notice at any time. Even if you have agreed to receive this Notice electronically, you are still entitled to a paper copy of this Notice.

G. QUESTIONS OR COMPLAINTS.

If you have any questions regarding this Notice or wish to receive additional information about our privacy practices, please contact our Privacy Officer at:

Privacy Officer, HPMC Occupational Medical Services
1979 Snyder Street
P.O. Box 150 – MSIN G3-70
Richland, WA 99354
Phone: (509) 376-6024, Fax: (509) 373-0944
john_w_munch@rl.gov

If you believe your privacy rights have been violated, you may file a complaint with our clinic or with:

The Secretary of the DHHS, Office for Civil Rights
U.S. Department of Health & Human Services
2201 Sixth Avenue - Mail Stop RX-11
Seattle, WA 98121
Phone: (206) 615-2290; (206) 615-2296 (TDD)
Fax: (206) 615-2297

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john_w_munch@rl.gov.

All complaints must be submitted in writing. You will not be penalized for filing a complaint.

References:

Health Insurance Portability and Accountability Act, 45 CFR Parts 160 and 164
Privacy Act of 1974, as amended, 5 U.S.C. §552a
Uniform Health Care Information Act, State of Washington, RCW 70.02