

# Notice of Privacy Practices

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This notice describes how medical/dental information about you may be used and disclosed. Your rights with respect to your medical information. How to exercise your right to get copies of your records at limited cost or, in some cases, free of charge. How to file a complaint concerning a violation of the privacy, or security of your medical information, or of your rights concerning your information, including your right to inspect or get copies of your records under HIPAA.

You have a right to a copy of this notice (in paper or electronic form) and to discuss it with Chief Operations Officer at 808-954-7103 and Compliance Specialist at 808-954-7166 if you have any questions.

## **Our Privacy Responsibilities:**

Waimānalo Health Center (WHC) is required by law to maintain the privacy of your health information; provide this notice that describes the ways we may use and share your health information; and follow the terms of the notice currently in effect.

**Privacy Promise:** WHC understands that your health information is personal and protecting your health information is important. We follow strict federal and state laws that require us to maintain the confidentiality of your health information. You have the right to be notified if a breach of protected health information occurs.

**Uses and Disclosures of Health Information Permitted by Law:** The following categories describe the ways that the WHC may use and disclose your health information. Some health records including confidential communications with a mental health professional, some substance abuse treatment records, some genetic results, and some health information of minors, may have additional restrictions for use and disclosure under state and federal laws. Your health information will be used or disclosed only for the following purposes:

When you receive care from WHC, we may use your health information for treating you, billing services, and conducting our normal business known as health care operations. Examples of how we use your information include:

**Treatment:** We keep records of the care and services provided to you. Health care providers use these records to deliver quality care to meet your needs. For example, your doctor may share your health information with a specialist who will assist in your treatment. We may call you by name in the waiting room when the provider is ready to see you. We may use or disclose your protected health information, as necessary, to contact you to remind you of your appointment.

**Payment:** We keep billing records that include payment information and documentation of the services provided to you. Your information may be used to obtain payment from you, your insurance company, or another third party. We may contact your insurance company to verify coverage for your care or to notify them of upcoming services that may need prior notice or approval. We may disclose protected health information to other health care providers or third parties to assist in billing and collection efforts. You have the right to restrict disclosure of your protected health information to a health plan when you pay out of pocket in full for health care services.

**Health Care Operations:** We use health information to improve the quality of care, train staff and students, provide customer service, manage costs, conduct required business duties, and make plans to better serve our communities. For example, we may use your health information to evaluate the quality of treatment and services provided by our physicians, nurses, and other health care workers.

**Individuals Involved in your Care or Payment of your Care:** We may disclose your health information to a spouse, family member, close personal friend, or any individual identified by you if we obtain your agreement. You will have the opportunity to identify this person or to object to our disclosing information to them.

**Business Associates:** WHC may use or disclose health information about you with people who contract with us to provide goods and services used in your treatment or for hospital operations. Examples include copy services, consultants, interpreters, and health transcriptionists. The WHC requires these contractors to protect the confidentiality of your health information as we do.

**Research:** Under certain circumstances, we may use and disclose your health information for research purposes. Research projects are subject to a special review process that evaluates uses of health information; trying to balance the research needs with the need for patient privacy. Before we use or disclose health information for research, the project will have to be approved through this review process.

**Fundraising:** We may contact you to provide information about WHC sponsored activities, including fundraising programs and events. We would only use contact information, such as phone number and the dates you received treatment or services at WHC. Please inform us if you do not want us to contact you for these fundraising efforts.

**Health Care Communications:** To identify health-related services and products that may benefit you and then contact you about the services and products.

**Deceased Individuals:** We may release medical information to a coroner, medical examiner, or funeral director as necessary for them to carry out their responsibilities.

**Organ Procurement Organizations:** We may release your health information to organizations that handle organ procurement or organ, eye, or tissue transplants or to an organ donation bank, as required and necessary to facilitate organ or tissue donation and transplants.

**Public Health Activities:** WHC may use or disclose your health information with public health authorities in charge of preventing or controlling disease, injury, or disability. For example, the WHC is required to report infectious diseases to the Hawaii Department of Health; billing practices may be audited by the Hawaii State Auditor; records are subject to review by the Secretary of Health and Human Services; and the Federal Food and Drug Administration (FDA) to ensure product safety.

**Workers Compensation:** WHC may use or disclose health information about you for workers compensation or similar programs that provide benefits for work-related injuries or illnesses.

**Judicial and Administrative Proceedings:** In the course of a judicial or administrative proceeding in response to a legal order or other lawful purpose.

**Threat to Health and Safety:** We may use and disclose your health information when necessary to prevent a serious threat to your health and safety, or the health and safety of others.

**Law Enforcement Officials: Specialized Government Functions:** We may disclose information to the police or other law enforcement officials as required by law or in compliance with a court order. We may disclose information to military or veterans' authorities about Armed Forces personnel, under certain circumstances. We may also disclose information to authorized federal officials for purposes of lawful intelligence, counterintelligence, and other national security activities.

All other uses and disclosures, not described in this notice, require signed authorization. You may revoke your authorization at any time with a written statement submitted to Health Information.

**Specially Protected Health Information:** Unless otherwise required or permitted under law, disclosure of the following protected health information, outside our health center, requires your specific consent:

- AIDS/HIV information
- Mental health and mental illness records including psychotherapy notes
- Drug addiction and alcoholism (substance abuse) treatment records

**Your individual Rights:** You have the following rights concerning your health information. A request to exercise any of these rights must be made in writing to the Chief Performance and Compliance Officer and/or the Compliance Specialist.

**Right to Alternative Communications:** You have the right to request that WHC communicate with you in a certain manner. For example, you may ask that WHC contact you only at work, or a different address than your home address. You may request this during registration.

**Right to Inspect and or Copy:** You have the right to inspect and obtain copies of your health information. Usually, this includes health and billing records. *It does not include psychotherapy notes, or information we put together to prepare for legal action, and certain laws relating to laboratories.*

To obtain a copy of your health information, please submit a request in writing to the Medical Records Department. If you request a copy of the information, we may charge a fee for the costs of copying, mailing or other supplies and services from your request.

We may deny your request to inspect and copy your records in certain very limited circumstances. We will notify you in writing if your request has been denied and explain how you may appeal the decision. In certain limited situations, we will have to deny you access and you will not have the right to appeal that decision.

**Right to Amend:** If you think that health information in your record is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as we keep the information. You must provide a reason for the amendment. We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that:

- We did not create.
- Is not part of the health information kept by our facility.
- Is not part of the information that you are allowed to inspect.
- Is accurate and complete.

**Right to Accounting of Disclosures:** You have the right to request a list accounting for any disclosures of your health information we have made. This accounting will not include disclosures:

- For treatment, payment, or health care options
- To persons involved in your care or for notification purposes
- Incidental to an otherwise permitted use or disclosure
- To correctional institutions or other law enforcement officials
- As part of a limited data set
- For national security or intelligence purposes
- For any use or disclosure that you specifically authorized or requested

Your request must state a time period, which may not be longer than 6 years and not include dates before April 14, 2003. The first list you request within a 12-month period will be free. For additional lists, we may charge you for the costs of providing the list. We will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred. We will mail you a list of disclosures within 30 days of your request or notify you if we are unable to have the list within 30 days and by what date we can have the list; but this date will not exceed 60 days from the date you made the request.

**Right to Request Special Restrictions:** You have the right to request special restrictions on sharing of your health information. You also have the right to request a limit on the health information we disclose about you to someone who is involved in your care. We are not required to agree to your request for restrictions if we are unable to comply or believe it will negatively affect the care, we provide for you. In your request, you must tell us what information you want to limit and to whom you want the limits to apply, for example, disclosure of specific information to your spouse.

**Right to Copy of This Notice:** You have the right to obtain a paper copy of this Notice at any time. Copies of your current Notice are available from our front desk staff.

**Changes to this Notice:** We reserve the right to change our privacy practices as described

in this Notice at any time. Except when required by law, we will write and make available upon request a new Notice before we make any changes in our privacy practices. The privacy practices in the most current Notice will apply to information we already have about you as well as any information we receive in the future. The Notice will contain an effective date.

**Contact Us:** If you would like further information about your privacy rights, are concerned that your privacy rights have been violated, or disagree with a decision that we made about access to your health information, contact the Chief Operations Officer at 808-954-7103 and Compliance Specialist at 808-954-7166.

*All complaints must be submitted in writing. We will investigate all complaints and will not retaliate against you for filing a complaint with the Office of Civil Rights of the U. S. Department of Health and Human Services. There will be no retaliation for filing a complaint.*

Waimānalo Health Center complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex.

If you need language assistance, services free of charge are available to you. Call 808-259-7949.