

# ORTHOPEDIC SURGERY & SPORTS MEDICINE

## 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.**

We are required by the Health Insurance Portability and Accountability Act (HIPAA) of 1996 to maintain the privacy and security of your health information. Health information means information about your past or present health status, condition, diagnosis, treatment, prognosis, or payment for health care.

### Your Rights

- When it comes to your health information, you have certain rights. The following section defines the rights you have pertaining to your health information.

#### **Get access to and receive a copy of your medical record**

- You have a right to view or receive a copy of your health information
- If requested, you can get an electronic copy of your health information. Ask use how to do this.
- We will provide you with access or a copy of your health information, usually within 30 days
- We may charge a reasonable, cost-based fee for the copy of your records

#### **Ask us to correct your medical record**

- You have the right to ask us to correct information that you think is inaccurate or incomplete within your medical record
- We may not approve your request, but we will inform you of the outcome within 60 days

#### **Request that we communicate with you in a confidential manner**

- You have the right to request that we contact and communicate with you in a specific manner such as an alternate phone number or address
- We attempt to approve all reasonable requests, but reserve the right to decline the request

#### **Ask use to restrict the health information that we share or use**

- You have the right to request that we not use or share information with specific individuals
- We may say 'no' to your request if it will have negative effect on your patient care
- You have the right to request that we not share your information with your health plan; however, you must pay for your healthcare services in full at the time of service. We will approve theses requests unless law requires use to share the information.

#### **Get access to a list of whom we have shared your health information with**

- You have the right to request a list of whom we have shared your health information with for the past six years prior to the day you have asked. The list will include information on with who we shared it with and why.
- The list will include all disclosures except those made for the purposes of treatment, payment, our healthcare operations, and other disclosures such as those that you authorized us to make on your behalf.

- We will provide one free list of disclosures of your health information each year. We may charge a reasonable cost-based fee if you request multiple disclosure lists in a 12 month period of time.

### **Choose someone to act for you**

- If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information.
- In the event the individual is deceased, we may provide health information to a personal representative if it is within the scope of the law and the privacy rule permits sharing the information
- Prior to providing any information or allowing them to access rights describe in this document, we will make sure the person has this authority and can act for you before we take any action.

### **File a complaint if you feel that your rights have been violated**

- You can complain if you feel we have violated your rights by contacting our HIPAA Privacy Officer. The contact information can be found on the last page of this document.
- You can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 1-877-696-6775, or visiting [www.hhs.gov/ocr/privacy/hipaa/complaints/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/).
- We support your right to the privacy of your health information. We will not retaliate in any way if you choose to file a complaint with us or with the U.S. Department of Health and Human Services.

### **Get a paper copy of this Notice of Privacy Practices**

- You can ask for a paper copy of this notice at any time. We will promptly provide you with a copy of this notice.
- You can also access a copy of this notice on our website at <https://www.facebook.com/OSSMidaho/>

## Your Choices

- **For certain health information, you have the right to tell us your choices about what we share, and whom we share it.** If you have clear preferences for how we share your information described below, please talk to us and tell us how you would like us to handle your information. We will do our best to handle your instructions regarding your health information.

### **In the cases listed below, you have the right and choice to tell our organization:**

- How to share information with your family, friends, and others involved in your care
- How to share your information for the purposes of disaster relief situations
- Include your information in the hospital directory

In the event that you are not able to inform our organization of your preference, such as being unconscious, our organization may go ahead and share your information if we believe it is in your best interest. We may also share your information if it is needed to lessen a serious and imminent through to health and safety.

### **In the cases listed below, our organization will not share your information unless you give us written permission:**

- Marketing purposes
- Sale of your information
- Most sharing of psychotherapy notes

*Please note that our organization will never market or sell your personal information.*

### **For the purposes of fundraising for our organization:**

- We may contact you for fundraising efforts
- You have the right to tell us not to contact you again for fundraising purposes
- If you tell us not to contact you, we will not make future communications regarding fundraising to you
- You have the right to request to receive fundraising communication at any point after you restrict communication regarding fundraising

## **Our Uses and Disclosures**

- **We Use Health Information to Support our Healthcare Operations and Provide Services to you.** This section defines how we typically use and share your health information. We are not required to get your authorization to share or provide you with an opportunity to agree or object in these specific scenarios.

### **OUR RESPONSIBILITIES TO YOUR HEALTH INFORMATION: HOW WE USE AND DISCLOSE HEALTH INFORMATION**

We use your information for the purposes of treatment, payment, and healthcare operations within our organization. The following describes the typical scenarios where we use and disclose your protected health information.

#### **To Treat You**

- Our organization uses your health information and shares it with other healthcare professionals for the purposes of treatment
- *Example: We may share your information with a provider that we have referred you to for other care.*

#### **To Bill for the Services Provided**

- Our organization uses and shares your health information to bill and get payment from your health plan or other entities for the services that we have provided to you.
- *Example: We provide your insurance company with your information from a visit so it will pay for the services provided to you.*

#### **To Run our Organization**

- Our organization uses and shares your health information to run our healthcare organization, improve your care and service, and contact you when necessary.
- *Example: We use your health information to manage your treatment and services, and improve the services that we provide to our patients.*

#### **Appointment Reminders:**

- We may use and disclose your health information to provide you with appointment reminders such as voicemail message, text message, postcards or letters.

#### **Other Ways our Organization Uses and Shares Your Health Information**

We are allowed and/or required to share your information in many different ways. Information shared is usually done to contribute to the public good, such as public health and research. Our organization has to meet many conditions in the law before we can share your health information for these purposes. These uses of health information does not require an authorization from you or require an opportunity to agree or object

to the sharing of information. For more information, you can visit the following website:  
[www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html).

### **Help with public health and safety issues**

Our organization can share health information about you for certain situations. For these specific situations, we will use and share your health information to the appropriate authorities after proper verification has occurred. Some examples of situations are:

- Reporting and controlling diseases, injuries, or disabilities
- Helping with product recalls
- Reporting adverse reactions to medications to such organizations as the Food and Drug Administration
- Reporting suspected abuse, neglect, or domestic violence
- Preventing or reducing a serious threat to anyone's health or safety (for national security purposes)

*Please note this is not a comprehensive list, but it provided to give you some examples of how we would share your information for public health and safety issues.*

### **Conduct Research**

- We can use or share your information for health research. Your medical record may be reviewed and data included in a research study. All research projects, however, are subject to a special approval process. This process evaluates a proposed research project and its use of health information, trying to balance the research needs with patients' need for privacy of their health information. Before we use or disclose health information for research, the project will have been approved through this research approval process.

### **Comply with the law**

- We will share information about you if state or federal laws require it
- We may share your information with the Secretary of the Department of Health and Human Services for purposes of compliance and enforcement of the HIPAA rules.

### **Address workers' compensation, law enforcement, and other government requests**

We can use or share health information about you:

- For workers' compensation claims
- For law enforcement purposes or with a law enforcement official
- With health oversight agencies for activities authorized by law
- For special government functions such as military, national security, and presidential protective services

### **Respond to lawsuits and legal actions**

- We can share health information about you in response to a court or administrative order, or in response to a subpoena or a court order.

### **Our Responsibilities to Your Health Information**

- We are required by law to maintain the privacy and security of your protected health information.
- We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.
- We must follow the duties and privacy practices described in this notice and give you a copy of it.
- We will not use or share your information other than as described here unless you tell us we can in writing.
- Other uses and disclosures not described in the notice will be made only with the individual's written authorization

- You have the right to revoke any authorization you have provided our organization to use or share your health information. If you change your mind about using or sharing your information, let us know your decision in writing.

For more information see: [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html).

#### **CHANGES TO THE TERMS OF THIS NOTICE**

- We can change the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available upon request, in our office, and on our website.

#### **OSSM HIPAA PRIVACY OFFICER:**

Privacy Officer  
850 W Ironwood Drive, Suite 202  
Coeur d'Alene, ID 86814  
208-664-2175 Phone  
208-664-1226 Fax

**EFFECTIVE DATE: This Notice of Privacy Practices is Valid as of October 2, 2017**