

## **NOTICE OF PRIVACY-PLEASE RETAIN FOR YOUR RECORDS**

**THIS NOTICE DESCRIBES HOW MT. JULIET HEALTH AND WELLNESS (MJHW) MAY USE AND DISCLOSE YOUR HEALTHCARE INFORMATION AND HOW YOU CAN OBTAIN ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.**

Mt. Juliet Health and Wellness is required by law to maintain the privacy of your protected health information. This information consists of all records related to your health, including demographic information, created by MJHW. An individual may obtain a copy of the current Notice from our office at any time.

### Uses and Disclosures of Your Protected Health Information not requiring your consent:

MJHW may use and disclose your protected health information, without your written consent or authorization, for certain treatment, payment and healthcare operations. There are certain restrictions on uses and disclosure of treatment recorded which included registration and all other records concerning individuals who are receiving, or who at any time have received services or mental illness, developmental disabilities, alcoholism, or drug dependence. There are also restrictions on disclosing HIV test results.

### Treatment may include:

- Providing, coordinating, or managing healthcare and related services by one or more healthcare providers.
- Consultations between healthcare providers concerning a patient.
- Referral to other providers for treatment.
- Referral to nursing homes, foster care homes, or home health agencies.

### Payment activities may include:

- Activities undertaken by MJHW to obtain reimbursement of services provided to you.
- Determining your eligibility for benefits or health insurance coverage.
- Collection activities to obtain payment for services provided to you.
- Reviewing healthcare services and discussing with your insurance company the medical necessity of certain services or procedures, coverage under your health plan, appropriateness of care, of justification of charges.
- Obtaining pre-certification and pre-authorization of services to be provided to you.

### Healthcare operation may include:

- Contacting healthcare providers and patients with this information about treatment alternatives, conducting quality assessment and improvement activities.
- Protocol development, case management, or care coordination.
- Conducting or arranging for medical review, legal review and auditing functions.

We may not disclose your protected health information to family members or friends who may be involved with your treatment or care without your written permission. Health information may be released without written permission to a parent, guardian or legal custodian of a child; the guardian of an incompetent adult; the healthcare agent designated in a incapacitated patient's healthcare power of attorney of the personal representative or spouse of a deceased patient.

There are additional situations when MJHW is permitted or required to use or disclose your protected health information without your consent or authorization. Examples include the following:

As permitted or required by law. In certain circumstances we may be required to report individual health information to legal authorities, such as law enforcement officials, court officials or government agencies. We are required to or any other wounds to law enforcement officials if there is reasonable cause to believe that wound occurred as a result of a crime. Mental health records may be disclosed to law enforcement authorities for the purpose of reporting an apparent crime on the premises.

For public health activities. We may release healthcare records, with the exception of treatment records, to certain government agencies or public health authority authorized by law upon receipt of written request from that agency. We are required to report positive HIV test results to the state epidemiologist. We may also disclose HIV test results to other providers or persons when there has been or will be risk of exposure.

**THIS NOTICE IS PREPARED IN ACCORDANCE WITH THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT  
45 C.F.R. 164.520.**

We may report to the state epidemiologist the name of any person known to have been significantly exposed to a patient who tests positive for HIV. We are required by law to report suspected child abuse and neglect and suspected abuse of an unborn child, but cannot disclose HIV test results in connection with the reporting or prosecution of alleged abuse or neglect. We may release healthcare records, including treatment records and HIV test results, to the Food and Drug Administration when required by federal law. We may disclose healthcare records, except for HIV test results, for the purpose of reporting elder abuse or neglect, provided the subject of the abuse or neglect agrees, or if necessary to prevent serious harm. Records may be released for the reporting of domestic violence if necessary to protect the patient or community from imminent and substantial danger.

For health oversight activities:

We may disclose healthcare records, including treatment records, in response to a written request by any federal or state governmental agency to perform legally authorized functions, such as management of audits, financial audits, program monitoring and evaluation, and facility or individual licensure or certification. HIV test results may not be released to federal or state governmental agencies, without written permission, except to the state epidemiologist for surveillance, investigation or to control communicable diseases.

Judicial and Administrative Proceedings:

Patient healthcare records, including records and HIV test results, may be disclosed pursuant to a lawful court order. A subpoena signed by a judge is sufficient to permit disclosure of all healthcare records except for HIV test results.

For activities related to death:

We may disclose patient healthcare records, except for treatment records, to a coroner or medical examiner for the purpose of completing a medical certificate or investigating a death. HIV test results may be disclosed under certain circumstances.

For research:

Under certain circumstances, and only after a special approval process, we may use and disclose your health information to help conduct research.

To avoid a serious threat to health or safety:

We may report a patient's name and other relevant data to the Department of Transportation if it is believed the patient's vision or physical or mental condition affects the patient's ability to exercise reasonable or ordinary control over a motor vehicle. Healthcare information, including treatment records and HIV test results may be disclosed if necessary to protect the patient or community from imminent and substantial danger.

For Workers Compensation:

We may disclose your health information to the extent such records is reasonably related to an injury.

MJHW will not make any other use of disclosure of your protected health information without your written authorization. You may revoke such authorization at any time, except to the extent that MJHW has taken in action in reliance thereon. Any revocation must be in writing.

Your Rights Regarding Your Protected Health Information:

You are permitted to request that restrictions be placed on certain users or disclosures of your protected health record by MJHW to carry out treatment, payment or healthcare operations. You must request such a restriction in writing. We are not required to agree to your request, but if we do agree, we must adhere to the restriction except when your protected health information is needed in an emergency treatment situation. In this event, information may be disclosed only to healthcare providers treating you. A restriction would not apply when we are required by law to disclose certain healthcare information. You have the right to review and/or obtain a copy of your healthcare records, with exception of psychotherapy notes or information compiled for use (or anticipation for use) in a civil, criminal, or administrative action or proceeding. MJHW may deny access under other circumstance, in which case you have the right to have such a denial reviewed. We may charge a reasonable fee for copying your records. You may request that MJHW send protected health information, including billing information, to you by alternative means or to alternative locations. You may also request MJHW not send information to a particular address or location or contact you at a specific location. This request must be submitted in writing. We will accommodate reasonable requests made by you. You have the right to request that MJHW amend portions of your healthcare records, so long as such information is maintained by us. You must submit this request in writing, and under certain circumstances the request may be denied. You may request to receive an accounting disclosure of your protected medical record made by MJHW for six years prior to the date of the request, beginning with disclosure made after March 1, 2017. We are not required, however, to records disclosures we make pursuant to a signed consent or authorization. You may request and receive a paper copy of this Notice, if you had previously received one electronically.

Any person or patient may file a complaint with MJHW and/or the Secretary of Health and Human Services if they believe their privacy rights have been violated. Please contact the Privacy Officer at Mt. Juliet Health and Wellness.

It is the policy of MJHW that no retaliatory action will be made against an individual who submits or conveys a complaint of suspected or actual non-compliance or violation of the privacy standards.

**This Notice of Privacy Practices Mt. Juliet Health and Wellness March 1<sup>st</sup>, 2017**