

SOUTHWEST HEALTHCARE SERVICES

Notice of Privacy Practices

Effective Date: April 14, 2003

Approved By: Darrold Bertsch, CEO

If you have any questions about this notice, please contact the Privacy Office by dialing 523-3214.

Each time you visit a hospital, long-term care facility, physician, or other healthcare provider, a record of your visit is made. Typically, this record contains your symptoms, examination and test results, diagnoses, treatment plan for future care or treatment, and billing related information. This notice applies to all the records of your care generated by the hospital/long term care facility, basic care, clinic and visiting nurse whether made by facility personnel, agents of the facility, or your personal doctor.

Our Responsibilities

We are required by law to maintain the privacy of your health information and provide you a description of our privacy practices. We will abide by the terms of this notice and notify you if we cannot agree to a requested restriction. We will accommodate reasonable requests you may have to communicate health information by alternative means or at alternative locations.

Uses and Disclosures

How we may use and disclose medical information about you.

The following categories describe examples of the way we use and disclose medical information:

For treatment: We may use medical information about you to provide you treatment or services. We may disclose medical information about you to doctors, nurses, technicians, medical students, or other personnel who are involved in taking care of you at Southwest Healthcare Services. For example: a doctor treating you for an injury may need to know if you have diabetes, because diabetes may slow the healing process, or if your doctor orders physical therapy, the nursing staff will need to discuss your care and treatment with the Physical Therapist. Different departments of Southwest Healthcare Services also may share medical information about you in order to coordinate the different things you may need, such as prescriptions, lab work, meals, and x-rays.

We may also provide your physician or a subsequent healthcare provider with copies of various reports that should assist him or her in treating you once you are discharged from Southwest Healthcare Services.

For Payment: We may use or disclose medical information about your treatment and services to bill and collect payment from you, your insurance company, or third party payer. For example, we may need to give your insurance company information about your surgery so they will pay us or reimburse you for the treatment. We may also tell your health plan about treatment you are going to receive to determine whether your plan will cover it.

For Healthcare Operations: Members of the medical staff and/or quality improvement team may use information in your health record to assess the care and outcomes in your case and others like it. The results will then be used to continually improve the quality of care for all we serve. For example, we may combine medical information about many patients/residents to evaluate the need for new services, treatment or equipment. We may disclose information to doctors, nurses and other students for educational purposes.

We may also use and disclose medical information:

1. To business associates we have contracted with to perform the agreed upon service and billing for it;
2. To remind you that you have an appointment for medical care;
3. To assess your satisfaction with our services;
4. To tell you about possible treatment alternatives;
5. To tell you about health-related benefits or services;
6. For population based activities relating to improving health or reducing healthcare costs;
7. For conducting training programs and reviewing competence of healthcare professionals.

Business Associates: There are some services provided in our organization through contracts with business associates. Examples may include physician services in the emergency department and radiology, certain outside laboratories, a copy service we use when making copies of your health record, a durable medical equipment supplier, or an entity contracted to destroy pertinent medical information. When these services are contracted, we may disclose your health information to our business associates so that they can perform the job we have asked them to do and bill you or your third party for services rendered. To protect your health information; however, we require the business associate to appropriately safeguard your information.

Individuals Involved in Your Care or Payment for Your Care: We may release medical information about you to a friend or family member who is directly involved in your medical care or who helps pay for your care. In addition, we may disclose medical information about you to an entity assisting in a disaster relief effort so that your family can be notified about your condition, status, and/or location.

Research: We may disclose information to researchers when an institutional review board, that has reviewed the research proposal and established protocols to ensure privacy of your health information, has approved their research.

Future Communications: We may communicate with you via newsletters, mailings, or other means regarding treatment options, health related information, disease-management programs, wellness programs, or other community based initiatives or activities our facility is participating in.

Organized Healthcare Arrangement: This facility and its medical staff members have organized and are presenting you this document as a joint notice. Information will be shared as necessary to carry out treatment, payment, and healthcare operations. Physicians and caregivers may have access to protected health information in their offices to assist in reviewing past, treatment as it may affect treatment at the time.

Afflicted Covered Entity: Protected health information will be made available to your physician as necessary to carry out treatment, payment, and healthcare operations.

As Required by Law:

Funeral Directors: We may disclose health information to funeral directors consistent with applicable law to enable them to carry out their duties.

Organ Procurement Organizations: Consistent with applicable law, we may disclose health information to organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of organs for the purpose of tissue donation and transplant.

Food and Drug Administration (FDA): We may disclose to the FDA health information related to adverse events with respect to food, supplements, product and product defects or post marketing surveillance information to enable product recalls, repairs, or replacement.

Workers' Compensation: We may disclose health information to the extent authorized by and to the extent necessary to comply with laws relating to worker's compensation or other similar programs established by law.

Public Health: As required by law, we may disclose your health information to public health or legal authorities charged with preventing or controlling disease, injury, or disability.

Correctional Institution: Should you be an inmate of a correctional institution, we may disclose to the Institution or agents thereof, health information necessary for your health, and the health and safety of other individuals.

Law Enforcement: We may disclose health information for law enforcement purposes as required by law, or in response to a valid subpoena.

Federal Law makes provision for your health information to be released to an appropriate health oversight agency, public health authority or attorney, provided that a workforce member or business associate believes in good faith that we have engaged in unlawful conduct or have otherwise violated professional or clinical standards and are potentially endangering one or more patients, workers, or the public.

Your Health Information Rights

Although your health record is the physical property of the healthcare practitioner or facility that compiled it, you have the **right to:**

Inspect and Copy: You have the right to inspect and copy medical information that may be used to make decisions about your care. Usually, this includes medical and billing records, but does not include psychotherapy notes. We may deny your request to inspect and copy in certain very limited circumstances. If you are denied access to medical information, you may request that the denial be reviewed. Another licensed healthcare professional chosen by our facility will review your request and the denial. The person conducting the review will not be the person who denied your request. We will comply with the outcome of the review.

Amend: If you feel that medical information we have about you is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by our facility. We may deny your request for an amendment and if this occurs, you will be notified of the reason for the denial in writing.

An Account of Disclosures: You have the right to request an accounting of disclosures. This is a list of disclosures we make of medical information about you.

Request Restrictions: You have the right to request a restriction or limitations on the medical information we use or disclose about you for treatment, payment or healthcare operations. You also have the right to request a limit on the medical information we disclose about you to someone who is involved in your care or payment for your care, such as a family member or friend. For example, you could ask that we not use or disclose information about a surgery you had.

We are not required to agree to your request: If we do agree, we will comply with your request unless the information is needed to provide you emergency treatment.

- 5 **Request Confidential Communications:** You have the right to request that we communicate about medical matters in a certain way or at a certain location. We will agree to the request to the extent that it is reasonable for us to do so. For example, you can ask that we use an alternative address for billing purposes.
- 6 **A Paper Copy of This Notice:** You have the right to 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.

To exercise any of your rights, please obtain the required forms from the Privacy Officer and submit your request in writing.

CHANGES TO THIS NOTICE

We reserve the right to change this notice and the revised or changed notice will be effective for information we already have about you as well as any information we receive in the future. The current notice will be posted and will include the effective date. In addition, each time you register at or are admitted to Southwest Healthcare Services for treatment or healthcare services, we will offer you a copy of the current notice in effect.

COMPLAINTS

If you believe your privacy rights have been violated, you may file a complaint by contacting the Privacy Officer at 701-523-3214 or by contacting the Department of Health and Human Services. All complaints must be submitted in writing.

You will not be penalized for filing a complaint.

OTHER USES OF MEDICAL INFORMATION

Other uses and disclosures of medical information not covered by this notice or the laws that apply to use will be made only with your written permission. If you provide us permission to use or disclose medical information about you, you may revoke that permission, in writing, at any time. If you revoke your permission, we will no longer use or disclose medical information about you for the reasons covered by your written authorization. We are unable to take back any disclosures we have already made with your permission, and that we are required to retain our records of the care that we provided to you.

PRIVACY OFFICER:

NAME: Peggy Klewin

TELEPHONE: 701-523-3214