

2013

HIPAA

Health Insurance Portability & Accountability Act PRIVACY POLICY

Cathedral Foundation of Jacksonville, Inc. and Urban Jacksonville, Inc. d/b/a Aging True



Notice of Privacy Practices For Aging True

(Agency name referred to as “The Provider” henceforth in this document)

OUR OBLIGATIONS:

We are required by law to:

1. Maintain the privacy of protected health information
2. Give you this notice of our legal duties and privacy practices regarding health information about you
3. Follow the terms of our notice that is currently in effect

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.

This Notice of Privacy Practices is being provided to you as a requirement of the Health Insurance Portability and Accountability Act (HIPAA). This Notice describes how we may use and disclose your protected health information to carry out treatment, payment or health care operations and for other purposes that are permitted or required by law. It also describes your rights to access and control your protected health information in some cases. Your “protected health information” means any of your written and/or oral health information, including demographic data that can be used to identify you. This is health information that is created or received by your health care provider, and that relates to your past, present or future physical or mental health condition.

I. Uses and Disclosures of Protected Health Information

The Provider may use your protected health information for purposes of providing treatment, obtaining payment for treatment and conducting health care operations. Your protected health information may be used or disclosed only for these purposes unless the Provider has obtained your authorization or the HIPAA Privacy Regulations or State law otherwise permits the use or disclosure. Disclosures of your protected health information for the purposes described in this Notice may be made in writing, orally or by facsimile.

A. Treatment.

We will use and disclose your protected health information to provide, coordinate or manage your health care and any related services. This includes the coordination or management of your health care with a third party for treatment purposes. For example, we may disclose your protected health information to a home health agency that is providing care in your home. We may also disclose protected health information to other physicians who may be treating you or consulting with your physician with respect to your care. In some cases, we may also disclose your protected health information to an outside treatment provider for purposes of the treatment activities of the other provider.

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B. Payment.

Your protected health information will be used, as needed, to obtain payment for the services that we provide. This may include certain communications to your health insurer to get approval for the treatment that we recommend. For example, we may disclose protected health information to determine whether you are eligible for benefits or whether a particular service is covered under a health plan. In order to get payment for your services, we may also need to disclose your protected health information to demonstrate the medical necessity of the services or as required by the health plan for utilization review. We may also disclose patient information to another provider involved in your care for the other provider's payment activities.

C. Operations.

We may use or disclose your protected health information, as necessary, for our own health care operation in order to facilitate the function of the provider and to provide quality care to all patients. Health care operations include such activities as:

1. Quality assessment and improvement activities.
2. Employee review activities.
3. Training programs including those in which students, trainees or practitioners in health care learn under supervision.
4. Accreditation, certification, licensing or credentialing activities.
5. Review and auditing, including compliance reviews, medical reviews, legal services and maintaining compliance programs.
6. Business management and general administrative activities.

In certain situations, we may also disclose patient information to another provider or health plan for their health care operations.

D. Other Uses and Disclosures.

As part of treatment, payment and healthcare operations, we may also use or disclose your protected health information for the following purposes:

1. To remind you of an appointment.
2. To inform you of potential treatment alternatives or options.
3. To inform you of health-related benefits or services that may be of interest to you.
4. To contact you to raise funds for the provider. If you do not wish to be contacted regarding fundraising, please contact our Privacy Officer.

II. Uses and Disclosures Beyond Treatment, Payment and Health Care Operations Permitted Without Authorization or Opportunity to Object

Federal privacy rules allow us to use or disclose your protected health information without your permission or authorization for a number of reasons including the following:

A. When Legally Required.

We will disclose your protected health information when we are required to do so by any Federal, State or Local law.

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B. When There Are Risks to Public Health.

We may disclose your protected health information for the following public activities and purposes:

1. To prevent, control or report disease, injury or disability as permitted by law.
2. To report vital events such as death as permitted by law.
3. To conduct public health surveillance, investigations and interventions as permitted or required by law.
4. To notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease as authorized by law.

C. To Report Abuse, Neglect or Domestic Violence.

We may notify government authorities if we believe that a patient is the victim of abuse, neglect or domestic violence. We will make this disclosure only when specifically required or authorized by law or when the patient agrees to the disclosure.

D. To Conduct Health Oversight Activities.

We may disclose your protected health information to a health oversight agency for activities including: audits; civil, administrative or criminal investigations, proceedings or actions, inspections; licensure or disciplinary actions, or other activities necessary for appropriate oversight as authorized by law. We will not disclose your health information if you are the subject of an investigation and your health information is not directly related to your receipt of health care or public benefits.

E. In Connection With Judicial And Administrative Proceedings.

We may disclose your protected health information in the course of any judicial or administrative proceeding in response to an order of a court or administrative tribunal as expressly authorized by such order or in response to a subpoena in some circumstances. We also may disclose Health Information in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.

F. For Law Enforcement Purposes.

We may disclose your protected health information to a law enforcement official for law enforcement purposes as follows:

1. Pursuant to court order, court-ordered warrant, subpoena, summons or similar process.
2. For the purpose of identifying or locating a suspect, fugitive, material witness or missing person.
3. Under certain limited circumstances, when you are the victim of a crime.
4. In an emergency in order to report a crime.
5. About a death we believe may be the result of criminal activity
6. About criminal activity on our premises

G. For Research Purposes.

We may use or disclose your protected health information for research when the use or disclosure for research has been approved by an institutional review board or privacy board that has reviewed the research proposal and research protocols to address the privacy of your protected health information.

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H. In the Event of a Serious Threat to Health or Safety.

We may, consistent with applicable law and ethical standards of conduct, use or disclose your protected health information if we believe, in good faith, that such use or disclosure is necessary to prevent or lessen a serious and imminent threat to your health or safety or to the health and safety of the public.

J. Individuals Involved in Your Care or Payment for Your Care.

When appropriate, we may share Health Information with a person who is involved in your medical care or payment for your care, such as your family or a close friend. We also may notify your family about your location or general condition or disclose such information to an entity assisting in a disaster relief effort.

K. Business Associates.

We may disclose Health Information to our business associates that perform functions on our behalf or provide us with services if the information is necessary for such functions or services. For example, we may use another company to perform billing services on our behalf. All of our business associates are obligated to protect the privacy of your information and are not allowed to use or disclose any information other than as specified in our contract.

L. Organ and Tissue Donation.

If you are an organ donor, we may use or release Health Information to organizations that handle organ procurement or other entities engaged in procurement, banking or transportation of organs, eyes or tissues to facilitate organ, eye or tissue donation and transplantation.

M. Military and Veterans.

If you are a member of the armed forces, we may release Health Information as required by military command authorities. We also may release Health Information to the appropriate foreign military authority if you are a member of a foreign military.

N. Workers' Compensation.

We may release Health Information for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.

O. Data Breach Notification Purposes.

We may use or disclose your Protected Health Information to provide legally required notices of unauthorized access to or disclosure of your health information.

P. Coroners, Medical Examiners and Funeral Directors.

We may release Health Information to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. We also may release Health Information to funeral directors as necessary for their duties.

Q. National Security and Intelligence Activities.

We may release Health Information to authorized federal officials for intelligence, counter-intelligence, and other national security activities authorized by law.

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R. Protective Services for the President and Others.

We may disclose Health Information to authorized federal officials so they may provide protection to the President, other authorized persons or foreign heads of state or to conduct special investigations.

S. Inmates or Individuals in Custody.

If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may release Health Information to the correctional institution or law enforcement official. This release would be if necessary: (1) for the institution to provide you with health care; (2) to protect your health and safety or the health and safety of others; or (3) the safety and security of the correctional institution.

III. Uses and Disclosures Permitted Without Authorization But With Opportunity To Object

We may disclose your protected health information to your family member or a close personal friend if it is directly relevant to the person's involvement in your care or payment related to your care. We can also disclose your information in connection with trying to locate or notify family members or others involved in your care concerning your location, condition or death. You may object to these disclosures. If you do not object or we determine, in the exercise of our professional judgment, that it is in your best interests for us to make disclosure of information that is directly relevant to the person's involvement with your care, we may disclose your protected health information as described. We may disclose your Protected Health Information to disaster relief organizations that seek your Protected Health Information to coordinate your care, or notify family and friends of your location or condition in a disaster. We will provide you with an opportunity to agree or object to such a disclosure whenever we practically can do so.

IV. Uses and Disclosures That You Authorize

Other than as stated above, we will not disclose your health information other than with your written authorization. You may revoke your authorization in writing at any time except to the extent that we have taken action in reliance upon the authorization.

V. Your Rights

You have the following rights regarding your health information:

A. The right to inspect and copy your protected health information.

You may inspect and obtain a copy of your protected health information that is contained in a designated record set for as long as we maintain the protected health information. A "designated record set" contains medical and billing records and any other records that the provider uses for making decisions about you. Under Federal law, however, you may not inspect or copy the following records: psychotherapy notes; information compiled in reasonable anticipation of, or for use in, a civil, criminal, or administrative action or proceeding and protected health information that is subject to a law that prohibits access to protected health information. Depending on the

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circumstances, you may have the right to have a decision to deny access reviewed. We may deny your request to inspect or copy your protected health information if, in our professional judgment, we determine that the access requested is likely to cause substantial harm to another person referenced within the information. You have the right to request a review of this decision. To inspect and copy your medical information, you must submit a written request to the Privacy Officer whose contact information is listed on the last pages of this Notice. If you request a copy of your information, we may charge you a fee for the costs of copying, mailing or other costs incurred by us in complying with your request. We have up to 30 days to make your records available to you. Please contact our Privacy Officer if you have questions about access to your medical record.

B. The right to request a restriction on uses and disclosures of your protected health information.

You may ask us not to use or disclose certain parts of your protected health information for the purposes of treatment, payment or health care operations. You may also request that we not disclose your health information to family members or friends who may be involved in your care or for the notification purposes as described in the Notice of Privacy Practices. Your request must state the specific restriction request and to whom you want the restriction to apply. The provider is not required to agree to a restriction that you may request. We will notify you if we deny your request to a restriction. If the provider does agree to the requested restriction, we may not use or disclose your protected health information in violation of that restriction unless it is needed to provide emergency treatment. Under certain circumstances, we may terminate our agreement to a restriction. You may request a restriction by contacting the Privacy Officer.

C. Right to an Electronic Copy of Electronic Medical Records.

If your Protected Health Information is maintained in an electronic format (known as an electronic medical record or an electronic health record), you have the right to request that an electronic copy of your record be given to you or transmitted to another individual or entity. We will make every effort to provide access to your Protected Health Information in the form or format you request, if it is readily producible in such form or format. If the Protected Health Information is not readily producible in the form or format you request your record will be provided in either our standard electronic format or if you do not want this form or format, a readable hard copy form. We may charge you a reasonable, cost-based fee for the labor associated with transmitting the electronic medical record.

D. Right to Get Notice of a Breach. You have the right to be notified upon a breach of any of your unsecured Protected Health Information.

E. The right to request and receive confidential communications from us by alternative means or at an alternative location.

You have the right to request that we communicate with you in certain ways. We will accommodate reasonable requests. We may condition this accommodation by asking you for information as to specification of an alternative address or other method of contact. We will not require you to provide an explanation for your request. Requests must be made in writing to our Privacy Officer.

F. The right to have your physician amend your protect health information. You may request an amendment of protected health information about you in a designated record set for as long as we maintain this information. In certain cases, we may deny your request for an amendment. If we deny you request for amendment, you have the right to file a statement of disagreement with us

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and we may prepare a rebuttal to your statement and will provide you with a copy of any such rebuttal. Requests for amendment must be in writing and must be directed to our Privacy Officer. In this written request, you must also provide a reason to support request amendments.

G. The right to receive an accounting.

You have the right to request an accounting of certain disclosures of your protected health information made by the provider. This right applies to disclosures for purposes other than treatment, payment or health care operations as described in the Notice of Privacy Practices. We are also not required to account for disclosures that you requested, disclosures that you agreed to by signing an authorization form, disclosure for a facility directory, to friends or family members involved in your care, or certain other disclosures we are permitted to make without your authorization. The request for an accounting must be made in writing to our Privacy Officer. The request should specify the time period sought for the accounting. We are not required to provide an accounting for disclosures that take place prior to April 14, 2003. Accounting requests may not be made for periods of time in excess of six years.

H. The right to obtain a paper copy of this notice.

Upon request, we will provide a separate paper copy of this notice even if you have already received a copy of this notice or have agreed to accept this notice electronically.

I. Right to Request Restrictions. You have the right to request a restriction or limitation on the Health Information we use or disclose for treatment, payment, or health care operations. You also have the right to request a limit on the Health Information we disclose to someone involved in your care or the payment for your care, like a family member or friend. For example, you could ask that we not share information about a particular diagnosis or treatment with your spouse. To request a restriction, you must make your request, in writing, to the Privacy Officer. We are not required to agree to your request unless you are asking us to restrict the use and disclosure of your Protected Health Information to a health plan for payment or health care operation purposes and such information you wish to restrict pertains solely to a health care item or service for which you have paid us "out-of-pocket" in full. If we agree, we will comply with your request unless the information is needed to provide you with emergency treatment

VI. Our Duties

The provider is required by law to maintain the privacy of your health information and to provide you with this Notice of our duties and privacy practices. We are required to abide by the terms of this Notice as may be amended from time to time. We reserve the right to change the terms of this Notice and to make the new Notice provisions effective for all protected health information that we maintain. If the provider changes its Notice, we will provide a copy of the revised Notice by sending a copy of the Revised Notice via regular mail or through in-person contact.

VII. Complaints

You have the right to express complaints to the provider and to the Secretary of Health and Human Services if you believe that your privacy rights have been violated. You may complain to the provider by contacting the provider's Privacy Officer verbally or in writing, using the contact

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information below. We encourage you to express any concerns you may have regarding the privacy of your information. You will not be retaliated against in any way for filing a complaint.

VIII. Contact Person

The provider's contact person for all issues regarding patient privacy and your rights under the Federal privacy standards is the Privacy Officer. Information regarding matters covered by this Notice can be requested by contacting the Privacy Officer. Complaints against the provider can be mailed to the Privacy Officer by sending it to:

Samuel Hall

4250 Lakeside Drive Suite 116

Jacksonville, Florida 32210

ATTN: Privacy Officer

The Privacy Officer can be contacted by telephone at (904) 807-1200.

IX. Effective Date

This Notice is effective August 2013.