

HIPAA 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**

Citizens Medical Center (CMC) and its employees are dedicated to maintaining the privacy of your protected health information (PHI), as required by applicable federal and state laws. HIPAA regulations require us to provide you with this Notice of Privacy Practices; to inform you of your rights; and to notify you of our obligations concerning protected information that identifies you and that relates to your physical or mental health condition. We are required to follow the privacy practices described below while this Notice is in effect.

A. Permitted Disclosures of PHI. We may disclose your PHI for the following reasons:

- 1. Treatment. We may disclose your PHI to a physician or other healthcare provider providing treatment to you. For example, we may disclose medical information about you to physicians, nurses, technicians, or personnel who are involved with the administration of your care.**
- 2. Payment. We may disclose your PHI to bill and collect payment for the services we provide to you. For example, we may send a bill to you or to a third-party payor for the rendering of services by us. The bill may contain information that identifies you, your diagnosis, and procedures and supplies used. We may need to disclose this information to insurance companies to establish insurance eligibility benefits for you. We may also provide your PHI to our business associates, such as billing companies, claims processing companies, and others that process our health care claims.**
- 3. Healthcare Operations. We may disclose your PHI in connection with our healthcare operations. Healthcare operations include quality assessment activities, reviewing the competency or qualifications of healthcare professionals, evaluating provider performance, and other business operations. For example, we may use your PHI to evaluate the performance of the healthcare services you received. We may also provide your PHI to accountants, attorneys, consultants, and others to make sure we comply with the laws that govern us.**
- 4. Emergency Treatment. We may disclose your PHI if you require emergency treatment, or are unable to communicate with us.**
- 5. Family and Friends. We may disclose your PHI to a family member, friend, or any other person who you identify as being involved with your care or payment for care, unless you object.**
- 6. Direct Contact with You. We may use your PHI to contact you to remind you that you have an appointment, or to inform you about treatment alternatives or other health-related benefits and services that may be of interest to you.**

7. **Required by Law.** We may disclose your PHI for law enforcement purposes and as required by state or federal law. For example, the law may require us to report instances of abuse, neglect, or domestic violence; to report certain injuries such as gunshot wounds; or to disclose PHI to assist law enforcement in locating a suspect, fugitive, material witness, or missing person. We will inform you or your representative if we disclose your PHI because we believe you are a victim of abuse, neglect, or domestic violence, unless we determine that informing you or your representative would place you at risk. In addition, we must provide PHI to comply with an order in a legal or administrative proceeding. Finally, we may be required to provide PHI in response to a subpoena discovery request or other lawful process, but only if efforts have been made, by us or the requesting party, to contact you about the request or to obtain an order to protect the requested PHI. We will always notify you if any state law(s) impose greater limits on disclosures of your PHI than those required by HIPAA (federal law).
8. **Serious Threat to Health or Safety.** We may disclose your PHI if we believe it is necessary to avoid a serious threat to your health and safety, or that of the public.
9. **Public Health.** We may disclose your PHI to public health or other authorities charged with preventing or controlling disease, injury, disability, or charged with collecting public health data.
10. **Health Oversight Activities.** We may disclose your PHI to a health oversight agency for activities authorized by law. These activities include audits; civil, administrative, or criminal investigations or proceedings; inspections; licensure or disciplinary actions; or other activities necessary for oversight of the healthcare system, government programs, and compliance with civil rights laws.
11. **Research.** We may disclose your PHI for certain research purposes, but only if we have protections and protocols in place to ensure the privacy of your PHI.
12. **Workers' Compensation.** We may disclose your PHI to comply with laws relating to workers' compensation or other similar programs.
13. **Specialized Government Activities.** If you are active military or a veteran, we may disclose your PHI as required by military command authorities. We may also be required to disclose PHI to authorized federal officials for the conduct of intelligence or other national security activities.
14. **Organ Donation.** If you are an organ donor, or have not indicated that you do not wish to be a donor, we may disclose your PHI to organ procurement organizations to facilitate organ, eye, or tissue donation and transplantation.
15. **Coroners, Medical Examiners, Funeral Directors.** We may disclose your PHI to coroners or medical examiners for the purposes of identifying a deceased person or determining the cause of death, and to funeral directors as necessary to carry out their duties.
16. **Disaster Relief.** Unless you object, we may disclose your PHI to a governmental agency or private entity (such as FEMA or Red Cross) assisting with disaster relief efforts.
17. **Facility Directory.** Your PHI may be used in our facility directory. The directory listing will include your name and room number. You may restrict whether your information is included in the directory, or to whom we may release such information.

18. **OCHIN**. Citizens Health is part of an organized health care arrangement including participants in OCHIN. A current list of OCHIN participants is available at www.oching.org as a business associate of Citizens Health OCHIN supplies information technology and related services Citizens Health and other OCHIN participants. OCHIN also engages in quality assessment and improvement activities on behalf of its participants. For example, OCHIN coordinates clinical review activities on behalf of participating organizations to establish best practice standards and assess clinical benefits that may be derived from the use of electronic health record systems. OCHIN also helps participants work collaboratively to improve the management of internal and external patient referrals. Your personal health information may be shared by Citizens Health with other OCHIN participants or a health information exchange only when necessary for medical treatment or for the health care operations purposes of the organized health care arrangement. Health care operation can include, among other things, geocoding your residence location to improve the clinical benefits you receive.

The personal health information may include past, present and future medical information as well as information outlined in the Privacy Rules. The information, to the extent disclosed, will be disclosed consistent with the Privacy Rules or any other applicable law as amended from time to time. You have the right to change your mind and withdraw this consent, however, the information may have already been provided as allowed by you. This consent will remain in effect until revoked by you in writing. If requested, you will be provided a list of entities to which your information has been disclosed.

B. Disclosures Requiring Written Authorization.

1. **Not Otherwise Permitted.** *In any other situation not described in Section A above, we may not disclose your PHI without your written authorization.*
2. **Psychotherapy Notes.** *We must receive your written authorization to disclose psychotherapy notes, except for certain treatment, payment, or healthcare operations activities.*
3. **Marketing and Sale of PHI.** *We must receive your written authorization for any disclosure of PHI for marketing purposes or for any disclosure which is a sale of PHI.*

C. Your Rights

1. **Right to Receive a Paper Copy of This Notice.** *You have the right to receive a paper copy of this Notice upon request.*
2. **Right to Access PHI.** *You have the right to inspect and copy your PHI for as long as we maintain your medical record. You must make a written request for access to the Privacy Officer at the address listed at the end of this Notice. We may charge you a reasonable fee for the processing of your request and the copying of your medical record. This charge includes administration fees, retrieval fees, and postage expenses. In certain circumstances, we may deny your request to access your PHI, and you may request that we reconsider our denial. Depending on the reason for the denial, another licensed healthcare professional chosen by us may review your request and the denial.*
3. **Right to Request Restrictions.** *You have the right to request a restriction on the use or disclosure of your PHI for the purpose of treatment, payment, or healthcare operations, except for in the case of an*

emergency. You also have the right to request a restriction on the information we disclose to a family member or friend who is involved with your care or the payment of your care. However, we are not legally required to agree to such a restriction.

4. **Right to Restrict Disclosure for Services Paid by You in Full.** *You have the right to restrict the disclosure of your PHI to a health plan if the PHI pertains to healthcare services for which you paid in full directly to us.*
5. **Right to Request Amendment.** *You have the right to request that we amend your PHI if you believe it is incorrect or incomplete, for as long as we maintain your medical record. We may deny your request to amend if (a) we did not create the PHI, (b) it is not information that we maintain, (c) it is not information that you are permitted to inspect or copy (such as psychotherapy notes), or (d) we determine that the PHI is accurate and complete.*
6. **Right to an Accounting of Disclosures.** *You have the right to request an accounting of disclosures of PHI made by us (other than those made for treatment, payment, or healthcare operations purposes) during the 6 years prior to the date of your request. You must make a written request for an accounting, specifying the time period for the accounting, to the privacy/compliance officer at the address listed at the end of this Notice.*
7. **Choose a Representative to Act for You.**
If you have given someone Durable Power of Attorney for Healthcare Decisions, or if someone is your legal guardian, that person can exercise your rights and make choices about your health information. We will make sure this person has this authority and can act for you before we take any action.
8. **Right to Confidential Communications.** *You have the right to request that we communicate with you about your PHI by certain means or at certain locations. For example, you may specify that we call you only at your home phone number, and not at your work number. You must make a written request, specifying how and where we may contact you, to the Privacy Officer at the address listed at the end of this Notice.*
9. **Right to Notice of Breach.** *You have the right to be notified if we, or one of our business associates, become aware of a breach of your unsecured PHI.*
10. **Right to Opt Out of Receiving Fundraising Communications.** *From time to time, we may contact you to raise funds for CMC. We will inform you how to opt out within each fundraising communication that we send to you.*

D. Changes to this Notice. *We reserve the right to change this Notice at any time in accordance with applicable law. Prior to a substantial change to this Notice related to the uses or disclosures of your PHI, your rights or our duties, we will revise and redistribute this Notice.*

E. Acknowledgment of Receipt of Notice. *We will ask you to sign an acknowledgment that you received this Notice.*

F. Questions and Complaints. If you would like more information about our privacy practices or have questions or concerns, please contact us. If you are concerned that we may have violated your privacy rights, or you disagree with a decision we made regarding the use, disclosure, or access of your PHI, you may complain to us by contacting the Privacy Officer at the address and phone number at the end of this Notice. You also may submit a written complaint to the U.S. Department of Health and Human Services. We will provide you with the address to file such a complaint upon request. We support your right to the privacy of your PHI. 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.

You may direct any questions or complaints to:

***Rod Williams
100 E. College Dr. Colby, KS 67701
(785) 462-7511***

This Notice is effective December 17, 2018.