



Depend On Us For Life.<sup>SM</sup>

## NOTICE OF PRIVACY PRACTICES

Effective Date: September 1, 2008

### **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.**

Each time you receive care or treatment from a therapy provider a record of such care or treatment is made. Typically, this record contains your symptoms, examination and test results, diagnoses, treatment, a plan for future care or treatment, and identifying information and billing-related information. The Baptist Health affiliated therapy providers set forth below (collectively, "Baptist Therapy") may share an electronic medical record for continuity of care purposes and for administrative convenience. This Notice is provided to inform you regarding (i) how Baptist Therapy providers and staff may use or disclose medical information about you, (ii) with whom medical information about you may be shared, (iii) the safeguards Baptist Therapy has in place to protect medical information about you and (iv) your rights to access and amend medical information about you. For purposes of this Notice, "medical information about you" includes sexually-transmissible disease-related information (including HIV and AIDS), genetic information, alcohol and/or substance abuse information, mental health information and other specially protected health information that may be subject to additional confidentiality protections under applicable State and federal law.

#### **BAPTIST INFUSION THERAPY**

#### **BAPTIST RESPIRATORY THERAPY**

Baptist Therapy is required to maintain the privacy of medical information about you and abide by the terms of this Notice (or the version currently in effect). Baptist Therapy reserves the right, however, to change this Notice in the future. Its effective date is noted at the top of this first page. Baptist Therapy reserves the right to make the revised or changed notice effective for health information it already has about you as well as any information it receives in the future. You may obtain a copy of the current version of this Notice at any time in the future by accessing the Baptist Health website at [www.e-baptisthealth.com](http://www.e-baptisthealth.com), contacting the Baptist Therapy Privacy Officer and requesting a copy be mailed to you, or asking that a copy be provided to you at the time of your next Baptist Therapy visit.

You will be asked to provide a signed acknowledgment of receipt of this Notice. Since Baptist Therapy's intent is to make you aware of the possible uses and disclosures of medical information about you and your privacy rights, the delivery of your health care services will in no way be conditioned upon your signed acknowledgment of this Notice. If you decline to provide a signed acknowledgment, Baptist Therapy will continue to provide your treatment and will use and disclose medical information about you to the extent permitted by applicable law.

#### **USE AND DISCLOSURE OF MEDICAL INFORMATION ABOUT YOU**

**For Treatment:** Baptist Therapy may use medical information about you, as needed, to provide treatment or services to you. Baptist Therapy may disclose medical information about you to, and obtain your medical information from, doctors, nurses, technicians, medical students or other individuals who are involved in taking care of you. For example, a Baptist Therapy provider may provide information to the ordering physician about how your medical condition is progressing or how you respond to medical treatment. Medical information about you may also be shared between various Baptist Therapy offices in order to coordinate your care. Baptist Therapy may also provide a subsequent healthcare provider with medical information about you (e.g., copies of various reports) that should assist him or her in treating you in the future. Baptist Therapy may also disclose medical information about you to, and obtain your medical information from, appropriate regional health information organizations (commonly referred to as RHIOs), in which you participate or for which you qualify for the purpose of the participating providers' treatment, payment and healthcare operations. RHIOs are electronic health information networks in which community healthcare providers (such as Baptist Therapy) may participate to facilitate the provision of care to patients (such as yourself). Information contained in RHIOs may also be analyzed by the participating healthcare providers to improve their respective healthcare operations. Baptist Therapy may also obtain information about you from, or transmit information about you through, electronic equipment and systems, such as medical devices used in your care, video cameras/monitors on Baptist Therapy premises, Baptist Therapy's computer systems and any other applicable technology.

**For Payment:** Baptist Therapy may use and disclose medical information about you, as needed, to bill and collect payment from you, your insurance company or a third party payer for care or treatment rendered to you. For example, Baptist Therapy may need to give your insurance company information about a Baptist Therapy visit so that it will pay Baptist Therapy or reimburse you for treatment provided by Baptist Therapy in connection with such visit, or Baptist Therapy may need to give the ordering physician information about you so that he or she can bill your insurance company for his or her professional services rendered in connection with the care or treatment provided to you by Baptist Therapy. Baptist Therapy may also tell your health plan about care or treatment you are going to receive to determine whether your plan will cover the cost of it. Baptist Therapy may also use and disclose medical information about you, as needed, to obtain reimbursement from any other entity or program for services or products provided to you by Baptist Therapy. For example, if Baptist Therapy provides a dose of medication to you, and such medication (which is not reimbursed by you or your insurance company) qualifies under a pharmaceutical manufacturer’s “drug replacement program,” then Baptist Therapy may disclose information about your care to such pharmaceutical manufacturer to the extent necessary to obtain a free or discounted replacement dose of such medication.

**For Healthcare Operations:** Baptist Therapy may use and disclose medical information about you, as needed, to support the daily activities related to its healthcare services. These activities include, but are not limited to, quality assessment activities, oversight of staff performance, healthcare education, licensing, fundraising, communications about a product or service, patient satisfaction surveys and focus groups, and conducting or arranging for other healthcare-related activities. In addition, Baptist Therapy may permit various observers to accompany its staff as they provide care to you and other patients on its premises or in the field. For example, Baptist Therapy may disclose medical information about you to medical school students observing Baptist Therapy patients or Baptist Therapy may use or disclose medical information about you, as necessary, to contact you to remind you of an upcoming visit.

Baptist Therapy may share medical information about you, as needed, with independent “business associates” who perform various activities (for example, billing services, transcriptionists and survey entities) for Baptist Therapy. Baptist Therapy’s business associates will also be required to protect any medical information Baptist Therapy provides about you. Baptist Therapy may also use or disclose medical information about you, as needed, to provide you with information about treatment alternatives or other health-related benefits and services that might be of interest to you. For example, your name and address may be used to send you a newsletter about Baptist Therapy and the services it offers or to send you information about products or services that Baptist Therapy believes might benefit you.

Baptist Therapy may disclose to a member of your family, a relative, a close friend or any other person you identify, medical information about you that directly relates to that person’s involvement in your care. Baptist Therapy may also disclose information to someone who helps pay for your care. Baptist Therapy may use or disclose medical information about you to notify or assist in notifying a family member, personal representative or any other person who is responsible for your care, of your location, general condition or death. Baptist Therapy may use or disclose medical information about you to an authorized public or private entity to assist in disaster relief efforts and coordinate uses and disclosures to family or other individuals involved in your care.

**As Permitted or Required by Law:** Baptist Therapy may use or disclose medical information about you to the extent permitted or required by applicable law.

**For Public Health:** Baptist Therapy may disclose medical information about you to a public health authority who is permitted by law to collect or receive such information. Such disclosure may be necessary to do the following:

- Prevent or control disease, injury, or disability;
- Report births and deaths;
- Report child abuse or neglect;
- Report reactions to medications or problems with products;
- Notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition;  
or
- Notify the appropriate government authority if Baptist Therapy believes a patient has been the victim of abuse, neglect, or domestic violence.

**Regarding Communicable Disease:** Baptist Therapy may disclose medical information about you, if authorized by law, to a person who might have been exposed to a communicable disease or might otherwise be at risk of contracting or spreading the disease or condition.

**For Health Oversight:** Baptist Therapy may disclose medical information about you to a health oversight agency for activities authorized by law, such as audits, investigations and inspections. These health oversight agencies may include State and federal government agencies that oversee the health care system, government benefit programs, other government regulatory programs and civil rights laws.

For Product Tracking: Baptist Therapy may disclose medical information about you to a person or company required by the Food and Drug Administration (FDA) to do the following:

- Report adverse events, product defects, or problems and biologic product deviations;
- Track products;
- Enable product recalls;
- Make repairs or replacements; or
- Conduct required post-marketing surveillance.

In Legal Proceedings: Baptist Therapy may disclose medical information about you during any judicial or administrative proceeding, in response to a court order or administrative tribunal (if such a disclosure is expressly authorized) and, in certain conditions, in response to a subpoena, discovery request, or other lawful process.

For Law Enforcement: Baptist Therapy may disclose medical information about you for law enforcement purposes, including the following:

- Responses to legal proceedings;
- Information requests for identification and location;
- Circumstances pertaining to victims of a crime;
- Deaths suspected from criminal conduct;
- Crimes occurring at Baptist Therapy; or
- Medical emergencies believed to result from criminal conduct.

To Coroners, Funeral Directors and Organ Procurement Organizations: Baptist Therapy may disclose medical information about you to coroners or medical examiners for identification, to determine the cause of death or for the performance of other duties authorized by law. Baptist Therapy may also disclose medical information about you to funeral directors, and to organ procurement organizations to facilitate cadaveric organ, eye, or tissue donations.

For Research: Baptist Therapy may use medical information about you or disclose medical information about you to researchers when authorized by law. For example, Baptist Therapy may disclose information about you to a researcher pursuant to an institutional review board (IRB) or privacy board approved protocol or retrospective review request that has been determined to pose minimal risk to your privacy.

For Health, Safety and National Security: Baptist Therapy may disclose medical information about you, in accordance with State and/or federal law, if it believes that such use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public. Baptist Therapy may disclose medical information about you if it is necessary for law enforcement authorities to identify or apprehend an individual. Baptist Therapy may also disclose medical information about you to authorized federal officials for conducting national security and intelligence activities.

Regarding Workers' Compensation: Baptist Therapy may disclose medical information about you to comply with workers' compensation laws and other similar legally-established programs.

Regarding Inmates: If you are an inmate of a correctional facility, Baptist Therapy may use or disclose medical information about you to such facility.

## **YOUR RIGHTS REGARDING MEDICAL INFORMATION ABOUT YOU**

You may exercise the following rights by submitting a written request to the Baptist Therapy Privacy Officer. Please be aware, however, that Baptist Therapy might deny your request, when legally permitted to do so.

**Right to Inspect and Copy:** For as long as Baptist Therapy maintains medical information about you, you may inspect and obtain a copy of medical information about you contained in certain medical and billing records maintained by Baptist Therapy. This right does not include inspection and copying of the following records: psychotherapy notes; information compiled in reasonable anticipation of, or use in, a civil, criminal, or administrative action or proceeding; and medical information about you that is subject to a law that prohibits access to medical information about you.

**Right to Request Restrictions:** You may ask Baptist Therapy not to use or disclose medical information about you for treatment, payment, or health care operations (as described in this Notice). Your request must be submitted in writing to the Baptist Therapy Privacy Officer. In your request, you must specifically state (i) what information you want restricted; (ii) whether you want to restrict Baptist Therapy's use, disclosure, or both; (iii) to whom you want the restriction to apply, for example, disclosures to you

spouse; and (iv) an expiration date. If Baptist Therapy believes that the restriction is not in the best interest of either party, or Baptist Therapy cannot reasonably accommodate your request, Baptist Therapy is not required to agree. If the restriction is agreed to by Baptist Therapy, Baptist Therapy will not use or disclose medical information about you in violation of that restriction, unless it is needed to provide emergency treatment. You may revoke a previously agreed upon restriction, at any time, in writing.

**Right to Request Confidential Communications:** You may request that Baptist Therapy communicate with you using alternative means (*e.g.*, e-mail) or at an alternative location (*e.g.*, post office box). Baptist Therapy will not ask you the reason for your request, and will accommodate reasonable requests, when possible.

**Right to Request Amendment:** If you believe that the information Baptist Therapy maintains about you is incorrect or incomplete, you may request an amendment to such information. While Baptist Therapy will accept requests for amendment, Baptist Therapy is not legally required to agree to an amendment.

**Right to an Accounting of Certain Disclosures:** You may request that Baptist Therapy provide you with an accounting of certain disclosures it has made of medical information about you. This right applies to disclosures made for purposes other than treatment, payment or health care operations (as described in this Notice). To be accountable, the disclosure must have been made after April 14, 2003 and no more than 6 years from the date of your request. This right excludes disclosures made to you, for a Baptist Therapy directory, to family members or friends involved in your care, or for notifications required by law (including disclosures for law enforcement, national security or intelligence purposes). The right to receive this information is subject to additional exceptions, restrictions, and limitations as described earlier in this Notice.

**Right to Obtain a Copy of this Notice:** You may obtain a paper copy of this Notice (or the version currently in effect) from Baptist Therapy or view it electronically via the Baptist Health website at [www.e-baptisthealth.com](http://www.e-baptisthealth.com).

## **PRIVACY LAWS**

This Notice is provided to you as a requirement of the rules created under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). There are several other State and federal privacy laws that also apply to medical information about you including the Freedom of Information Act, the Privacy Act and the Alcohol, Drug Abuse, and Mental Health Administration Reorganization Act. To the extent not preempted by HIPAA, Baptist Therapy has taken such laws into consideration in developing its privacy policies and this Notice.

## **COMPLAINTS**

If you believe Baptist Therapy has failed to comply with this Notice or that Baptist Therapy has violated these privacy rights, you may file a written complaint with the Baptist Therapy Privacy Officer or the Department of Health and Human Services. Baptist Therapy will not retaliate against you for filing a complaint.

## **CONTACT INFORMATION**

You may contact the Baptist Therapy Privacy Officer for further information about the complaint process or for further explanation of this document. The Baptist Therapy Privacy Officer (or his designee) may be contacted at:

Baptist Therapy Privacy Officer  
1325 San Marco Boulevard, Suite 902  
Jacksonville, Florida 32207  
(904)202-HIPA (4472) *telephone*  
(904)202-4094 *facsimile*