

PHS Notice of HIPAA Privacy Practices

This notice describes how medical information about a patient may be used and disclosed and how you can get access to this information. Please review this notice carefully.

What Are PHS Health Information Responsibilities?

As we provide care and service, PHS collects information that becomes part of a patient's medical and billing record. This information is called Protected Health Information (PHI). PHI includes information about the patient we receive from

- The patient or the patient's legal guardian or principal caregiver.
- The medical people involved in the patient's care, such as doctors, hospital or clinic staff, home care or school nurses, and mental health therapists.
- The patient's health insurance company.

Federal law and our concern about patient protection require us to keep a patient's PHI private. We do this in many ways.

- We have protections for paper and computer records to prevent accidental or intentional change, loss, or misuse of PHI.
- We have written policies protecting PHI that govern how we do business.
- We regularly train all of our employees on laws and PHS policies for protecting PHI.
- We require all non-health care industry companies with which we work when we provide patient services to sign a legal agreement to follow PHI laws.

PHS notifies the patient or legal guardian if a loss of PHI occurs that is likely to cause patient harm. PHS sends this report no more than 60 days after we learn about the loss.

How Does PHS Use and Share Protected Health Information?

Federal law allows PHS to use and share PHI without a patient's written permission for the following six purposes. For each purpose, we list one of many possible examples.

1. Patient Care and Treatment

We may share PHI with other health care providers as we give, manage or coordinate health care and related services for a PHS patient.

Example: Speaking with referring healthcare providers to obtain medical history or determine the best equipment, supplies or medicine for a patient

2. Payment for PHS Services

We may share PHI with the patient's health insurance provider as we seek payment for PHS services.

Example: Sharing PHI to determine whether the patient's health insurance pays for equipment and supplies ordered by the doctor

3. On-Going Health Care Practices

We may use PHI for business operations and to check that PHS follows all laws and guidelines for providing safe, high quality patient care.

Example: PHS review of medical records to assure we follow proper billing practices

4. Public Health

We may share PHI with appropriate authorities to prevent serious threat to individual or public health or safety.

Example: Sharing a life threatening patient event involving medical equipment with the federal Food and Drug Administration (FDA)

5. Suspected Abuse or Neglect

We may share PHI with appropriate authorities to address concerns about abuse, neglect, or domestic violence involving a child or Vulnerable Adult.

Example: Sharing a nurse's observations with a county Child Protection Service if there is concern about a child's well-being

6. Legal Actions

We may share PHI as required for court or law enforcement actions.

Example: Sharing a patient's location in response to a court order from the police

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Federal law requires PHS to seek and receive written permission from the patient or the patient's legal guardian before using or sharing PHI in the following situations. PHS must explain to the patient or the patient's legal guardian why and with whom we want to share PHI.

1. For requests to use or share PHI for purposes other than the six purposes listed on page one of this Notice of HIPAA Privacy Practices.
2. For most requests to receive or share mental health treatment information contained within the medical record.

The patient or patient's legal guardian can refuse permission to share PHI. Refusal does not affect the care or service PHS provides the patient. The patient or patient's legal guardian can withdraw permission in writing at any time.

What Are the Patient's Privacy Rights?

The patient or patient's legal guardian has the following PHI rights. The person can

- o Ask that PHS not share PHI for the six purposes listed on page one of this Notice of Privacy Practices. The request must be in writing and identify
 - The information PHS should not share,
 - The person or organization with whom PHS should not share the information,
 - Whether the request applies to written or spoken communication or to both.NOTE: In some cases PHS may not be able to honor the request.
- o Instruct PHS to not share information about service the patient or patient's legal guardian paid for out of pocket and in full.
- o Identify how and where to receive PHI. Examples include telling us we should
 - Send PHI by email, surface mail or phone,
 - Mail PHI to an address different than the primary address in the medical record,
 - Not leave health information in voice mails or with family members at phone numbers in the medical record.
- o Receive a copy of the medical record, not including certain types of mental health treatment information. We send a copy of the record within 30 days of receiving a written request. We may charge a small fee for photocopying and mailing the medical record.
- o Ask that we change, add or remove information in the medical record. We respond in writing within 60 days of receiving the written request. If we agree, we forward the changed or new information to persons or organizations that use the medical record for treatment, payment, or other health care services. If we do not agree, we explain our reasons in writing. The patient or patient's legal guardian can follow the process described below to file a complaint about our decision.
- o Receive details about the health information PHS shared for purposes four, five or six listed on page one of this Notice of HIPAA Privacy Practices. The patient or patient's legal guardian can also request details about any loss of PHI that PHS considered not likely to cause patient harm.
- o The person must send a signed hard copy letter with any of these requests to the Privacy Officer at PHS. See address below.

How Do I File a Complaint?

Contact the Privacy Officer at PHS with questions or concerns about patient privacy rights or PHS privacy policies. The patient or the patient's legal guardian can file a complaint with the PHS Privacy Officer if the person thinks there has been a violation of PHI privacy. Contact the PHS Privacy Officer at 651-642-1825 or send a written complaint to the following address:

PHS Privacy Officer
Pediatric Home Service
2800 Cleveland Avenue North
Roseville, MN 55113

The patient or patient's legal guardian has the right to file a complaint with the United States Department of Health and Human Services—Office of Civil Rights. We cannot punish the patient in any way for filing such a complaint.

How Does PHS Notify Patients of Changes to Privacy Practices?

This Notice of HIPAA Privacy Practices goes into effect September 1, 2013. PHS has the right to change this Notice and the PHI policies it describes. If we change the Notice of HIPAA Privacy Practices, we put the new Notice on our website (www.pediatrichomeservice.com) and in a public area of our office. The patient or patient's legal guardian can request a written copy of the new Notice of HIPAA Privacy Practices.