

The Orthopaedic Center Notice of Privacy Practices

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

The Orthopaedic Center (TOC) shares this Notice with others who participate in an Organized Healthcare Arrangement (OHCA). This includes the University of Alabama in Birmingham students and medical residents, physicians, allied health practitioners, emergency transportation services, Health Group of Alabama, and others in this joint arrangement. This Notice and arrangement establishes a standard for all healthcare professionals in the uses and disclosure of PHI at all TOC facilities.

The Orthopaedic Center Has a Legal Duty to Safeguard Your Protected Health Information (PHI).

Protected Health Information (PHI) includes information, such as name, address, etc. that can be used to identify you. It is information about your past, present, or future health condition or payment for healthcare. The Orthopaedic Center (TOC), offers you this Notice about our privacy practices that explains how, when, and why TOC uses and discloses your PHI. With some exceptions, TOC will not use or disclose any more of your PHI than is necessary to accomplish the intended purpose. TOC is legally required to follow the privacy practices that are described in this Notice.

Understanding Your Health Record Information

Each time you visit a hospital, physician, or other healthcare provider, a record of your visit is made. Typically, this record contains your symptoms, examination and test results, diagnoses, treatment, and a plan for future care or treatment. This information, often referred to as your health information or medical record, serves as a:

- Basis for planning your care and treatment.
- Means of communication among the many health professionals who contribute to your care.

- A legal document describing the care you received.
- A means by which you or a third-party payer can verify that services billed were actually provided.
- A tool in educating health professionals.
- A source of data for medical research and/or studies.
- A source of information for public health officials charged with improving and monitoring the health of the nation.
- A source of data for our facility planning and marketing.
- A tool to help TOC assess and continually work to improve.

Understanding what is in your record and how your health information is used helps you to:

1. Ensure its accuracy.
2. Better understand who, what, when, where, and why others may access your health information.
3. Make more informed decisions when authorizing disclosures to others.

You Have the Right To:

- Ask that TOC limit how it uses and discloses your PHI, but TOC is not legally required to agree. You may not limit the uses and disclosures that TOC is legally required or allowed to make.
- Choose how TOC sends PHI to you. You may request communication by alternative means or at alternative locations.
- View or receive copies of your PHI at TOC. You must make the request in writing. TOC will respond to you within 30 days after receiving your written request. You will be charged a reasonable fee. TOC may provide you with a summary or explanation of the PHI as long as you agree. In certain situation, TOC may deny your request to access your medical record. You may have the denial reviewed.
- Receive a list of occurrences in which TOC has disclosed your PHI. The list will not include uses or disclosures that you have authorized or those made for treatment, payment, or healthcare operations. Also, the list will not include uses and disclosures for emergencies, for national security purposes, or before 04/14/03. The list will include all other disclosures made in the last six (6) years unless you request a shorter time frame. TOC will

- provide the first list to you at no charge.
- Correct your PHI if you believe that there is a mistake in your medical record or important information is missing. You must provide the request in writing and TOC will respond within 60 days of receiving your request. TOC may deny your request. Our written denial will state the reason and explain your right to file a written statement of disagreement.
- Obtain a paper copy of this Notice. Contact the TOC Privacy Officer at 256-539-2728 or view the Notice of Privacy Practices at www.visitTOC.com.

The Orthopaedic Center is Required to:

- Maintain the privacy of your health information.
- Provide you with a Notice about TOC's legal duties and privacy practices with respect to your PHI.
- Comply with the terms of this Notice.
- Notify you if TOC is unable to agree to a request.

TOC reserves the right to change our privacy practices and to make the new provisions effective for all health information. Should TOC's Notice of Privacy Practices change, TOC will offer you a revised copy at your next visit.

How The Orthopaedic Center May Disclose Your protected Health Information (PHI)

The following is a summary of ways that TOC may use and disclose health information about you.

- **Treatment.** TOC may disclose your PHI to physicians, nurses, medical students, and other healthcare personnel who provide you with healthcare services or are involved in your care. For example, if you are being treated for a knee injury, TOC may disclose your PHI to the physical rehabilitation department in order to coordinate your care. TOC will also provide your physician or subsequent healthcare providers with copies of various reports that would assist them in treating you once you are discharged from this facility.
- **Payment.** A bill may be sent to you or a third-party payer. The information on or accompanying the bill may include information

NOTICE OF PRIVACY POLICIES FOR



that identifies you, as well as your diagnosis, procedures, and supplies used. The information that may be sent could include information relating to psychiatric illness, alcohol or drug abuse, HIV testing, AIDS, or infectious diseases.

- **Healthcare operations.** TOC may use or disclose your PHI for healthcare operations. For example, TOC may use your PHI to evaluate the quality of healthcare services, for process improvement activities, or to evaluate health plan performance. TOC may also provide your PHI to our accountants, attorneys, consultants, health improvement agencies, and others in order to make sure that TOC complies with all laws.
- **Business Associates.** There are some services provided at TOC through business associates that may not be covered entities. For example, TOC may contract with billing services, accounting firms, and healthcare consultants to assist in certain functions. TOC will generally have a formal agreement requiring that patient information be maintained in a manner consistent with TOC policies and procedures.
- **Notification.** TOC may use or disclose information to notify or assist in notifying a family member, personal representative, or another person responsible for your care.
- **Marketing.** TOC may contact you to provide appointment reminders or information about treatment alternatives or other health-related benefits and services that may be of interest to you.
- **Food & Drug Administration (FDA).** TOC may disclose to the FDA health information related to adverse events with respect to food supplements, products and product defects, or post marketing surveillance information to enable product recalls, repairs, or replacements.
- **Workers' Compensation.** TOC may disclose health information to the extent authorized by and to the extent necessary to comply with laws relating to workers' compensation or other similar programs established by law.
- **Public health.** As required by law, TOC may disclose your health information to public health or legal authorities charged with preventing or controlling disease, injury, or disability. For example, TOC is required to report abuse/neglect of the elderly and children to all relevant entities.
- **Correctional institution.** Should you be an inmate of a correctional institution, TOC may

disclose to the institution or agents any health information necessary for your health and/or the health and safety of other individuals.

- **Military.** TOC may disclose Protected Health Information about active or veteran armed forces personnel to commanding officers, as allowed by law.
- **Law enforcement.** TOC may disclose health information for law enforcement purposes as required by law or in response to a valid subpoena and/or court order.
- **Health Plan.** TOC may disclose PHI to the sponsors of your plan for underwriting, premium rating, and other activities related to healthcare claims.

Reporting Complaints and Privacy Violations.

- Federal law makes provisions for your health information to be released to an appropriate health oversight agency, public health authority or attorneys, provided that a workforce member or business associate believes in good faith that TOC has engaged in unlawful conduct or has otherwise violated professional or clinical standards and are potentially endangering one or more patients, workers or the public.
- Other uses and disclosures will be made only with the individual's written authorization. The individual may revoke the authorization.

If you have additional questions, or would like additional information, you may contact The Orthopaedic Center Privacy Officer at 256-539-2728.

If you believe your privacy rights have been violated, you may file a complaint with the TOC Privacy Officer or with the Secretary of Health and Human Services. There will be no retaliation for filing a complaint.

Effective Date 04/14/03
Published Date 03/29/03

NOTE: The Patient Agreement and Acknowledgement document does not limit release of information to all third party payers, such as the Social Security Administration, Medicaid, Worker's Compensation Carriers, and governmental agencies that may be responsible in whole or in part, for payment in exchange for services rendered by TOC or by physicians.

Note: If you would like a copy of this notice to take home with you please ask our front desk receptionist.