

# Privacy Practices

**This notice was revised September 1, 2013. It describes how medical information about you may be used and disclosed and how you can get access to this information. Please review it carefully.**

## **I. We have a Legal Duty to Safeguard your Protected Health Information (PHI)**

We are legally required to protect the privacy of your health information. We call this information protected health information, or PHI for short. PHI includes information that can be used to identify you that we've created or received about your past, present, or future health conditions, the provision of health care to you, or the payment of this health care. We must provide you with notice about our privacy practices that explain how, when and why we use and disclose your PHI. With some exceptions, we may not use and disclose any more of your PHI than is necessary to accomplish the purpose of the us or disclosure. We are legally required to follow the privacy practices that are described in this notice. However, we reserve the right to change the terms of this notice and our privacy policies at any time. Any changes will apply to the PHI we already have. Before we make an important change to our policies, we will promptly change this notice and post a new notice in our office reception areas. You can also request a copy of this notice from our staff at any time or you can view and print a copy of the notice on our website at [www.puebloradiology.com](http://www.puebloradiology.com).

## **II. How We May Use and Disclose your Protected Health Information**

We use and disclose health information for many different reasons. For some of these uses or disclosures, we need your specific authorization. Below we describe the different categories of our uses and disclosures and give you some examples in each category.

### **Uses and Disclosures Relating to Treatment, Payment, or Health Care Operations**

We may use and disclose your PHI for the following reasons:

1. For Treatment: We may use and disclose PHI for your treatment and to provide you with treatment-related health care services. For example, we may disclose Health Information to doctors, nurses, technicians, or other personnel, including people outside our office, who are involved in your medical care and need the information to provide you with medical care.

2. To Obtain Payment for Treatment: We may use and disclose PHI so that we or others may bill and receive payment from you, an insurance company or a third party for the treatment and services you received. For example, we may give your health plan information about you so that they will pay for your services.

3. For Healthcare Operations: We may use and disclose PHI for our health care operations. Use and disclosure of PHI is necessary to ensure quality patient care and to operate and manage our practice. We may use and disclose PHI to evaluate the physicians and healthcare personnel providing services you receive. We also may share information with other entities that have a relationship with you (for example, your health plan), or others who assist us in compliance with healthcare laws and regulations.

4. Appointment Reminders, Treatment Alternatives, and Health Related Benefits and Services: We may use and disclose PHI to contact you and remind you that you have an appointment with us. We also may use and disclose health information to tell you about treatment alternatives or health-related benefits and services that may be of interest to you.

5. Individuals Involved in your Care or Payment for your Care: When appropriate, we may share PHI 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.

### **Certain Uses and Disclosures Do Not Require Your Authorization**

We may use and disclose your PHI without your authorization for the following reasons:

1. When a Disclosure is Required by Federal, State, or Local Law Enforcement: For example, we make disclosures when a law requires that we

report information to government agencies and law enforcement personnel about victims of abuse, neglect, or domestic violence; when dealing with gunshot or other wounds; or when ordered in a judicial or administrative proceeding.

2. For Public Health Activities: For example, we report information about births, deaths, and various diseases to government officials in charge of collecting that information.

3. For Health Oversight Activities: For example, we will provide information to assist the government when it conducts an investigation or inspection of a health care provider or organization.

4. For Purposes of Organ Donation: We may notify organ procurement organizations to assist them in organ, eye or tissue donation and transplants.

5. For Research Purposes: In certain circumstances, we may provide PHI in order to conduct medical research.

6. To Avoid Harm: In order to avoid a serious threat to the health or safety of a person or the public, we may provide PHI to law enforcement personnel or persons able to prevent or lessen such harm.

7. For Specific Government Functions: We may disclose PHI of military personnel and veterans in certain situations. And we may disclose PHI for national security purposes, such as protecting the president of the United States or conducting intelligence operations.

8. For Workers' Compensation Purposes: We may provide PHI in order to comply with workers' compensation laws.

9. Appointment Reminders and Health-Related Benefits or Services: We may use PHI to provide appointment reminders or give you information about treatment alternatives or other healthcare services or benefits we offer.

### **Special Situations**

We may disclose PHI without your authorization in the following situations:

1. As Required by Law: We will disclose PHI when required to do so by international, federal, state, or local laws.

2. To Avoid Harm: We may use and disclose PHI when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Disclosures, however, will be made only to someone who may be able to help prevent the threat.

3. Business Associates: We may disclose PHI to our business associates that perform functions on our behalf or provide use 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 share to use or disclose any information other than as specified in our contract.

4. Organ and Tissue Donation: If you are an organ donor, we may use or release PHI 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.

5. Workers' Compensation: We may release PHI for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.

6. Research: Under certain circumstances, we may use and disclose PHI for research. For example, a research project may involve comparing the health of patients who received one treatment to those who received another, for the same condition. Before we use or disclose PHI for research, the project will go through a special approval process. Even without special approval, we may permit researchers to look at records to help them identify patients who may be included in their research project or for other similar purposes, as long as they do not remove or take a copy of any PHI.

7. Public Health: We may disclose PHI for public health activities. These activities generally include disclosures to 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 people of recalls of products they may be using; a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition; and the appropriate government authority if we believe a patient has been the

victim of abuse, neglect or domestic violence. We will only make this disclosure if you agree or when required or authorized by law.

8. Health Oversight Activities: We may disclose PHI to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections and licenses. These activities are necessary for the government to monitor the healthcare system, government programs and compliance with civil rights laws.

9. Data Breach Notification Purposes: We may use or disclose your PHI to provide legally required notices of unauthorized access to or disclosure of your PHI.

10. Lawsuits and Disputes: If you are involved in a lawsuit or a dispute, we may disclose PHI in response to a court or administrative order. We also may disclose PHI 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.

11. Law Enforcement: We may release PHI if asked by a law enforcement official if the information is: (1) in response to a court subpoena, warrant, summons or similar process; (2) limited information to identify or locate a suspect, fugitive, material witness, or missing person; (3) about the victim of a crime even if, under certain very limited circumstances, we are unable to obtain the person's agreement; (4) about a death we believe may be the result of criminal conduct; (5) about the criminal conduct on our premises; and (6) in an emergency to report a crime, the location of the crime or victims, or the identity, description or location of the person who committed the crime.

12. Death: If you die, we may disclose to a family member, relative or close personal friend who was involved in your care or payment for healthcare prior to your death, your PHI that is relevant to such person's involvement, unless doing so is inconsistent with any prior expressed preference that you have expressed to us.

13. Coroners, Medical Examiners and Funeral Directors: We may release PHI 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 PHI to funeral directors as necessary for their duties.

14. Certain Government Functions: If you are a member of the armed forces, we may release PHI as required by military command authorities. We also may release PHI to the appropriate foreign military authority if you are a member of a foreign military. We may release PHI to authorized federal officials for intelligence, counter-intelligence and other national security activities authorized by law. We may disclose PHI to authorize federal officials so they may provide protection to the President, other authorized persons or foreign heads of state or to conduct special investigations. If you are an inmate of a correctional institution or under the custody of a law enforcement official. This release would be if necessary: (1) for the institution to provide you with healthcare; (2) to protect your health and safety or the health and safety of others; or (3) the safety and security of the correctional institution.

15. Uses and Disclosures that require you to have the Opportunity to Object and Opt Out

16. Individuals Involved in your Care or Payment of your Care: Unless you object, we may disclose to a member of your family, a relative, a close friend or any other person you identify and if your protected PHI that directly relates to that person's involvement in your healthcare. If you are unable to agree or object to such a disclosure, we may disclose such information as necessary if we determine that it is in your best interest based on our professional judgement.

17. Disaster Relief: We may disclose your protected PHI to disaster relief organizations that seek 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.

### **Your Written Authorization is Required for Other Uses and Disclosures**

Uses and disclosures of PHI for marketing purposes and disclosures that constitute a sale of your PHI will be made only with your written authorization. Without your consent and subject to certain permitted exceptions such as appointment reminders and face-to-face communications. We cannot use

your PHI for marketing purposes. This includes financial remuneration for making the communication from a third party whose product or service is being promoted.

Other uses and disclosures of PHI not covered by this Notice or the laws that apply to us will be made only with your written authorization. If you do give us an authorization, you may revoke it at any time by submitting a written revocation to our Privacy Officer and we will no longer disclose PHI under the authorization. But disclosure that we made in reliance on your authorization before you revoked it will not be affected by the revocation.

### **III. What Rights You Have Regarding Your PHI**

You have the following rights with respect to your PHI:

1. **Right to Inspect and Copy:** You have a right to inspect and copy PHI that may be used to make decisions about your care or payment for your care. This includes medical and billing records other than psychotherapy notes. To inspect and copy this PHI you must make your request, in writing, to Charles Scudelari at the address above. We have up to 30 days to make your PHI available to you and we may charge you a reasonable fee for the costs of copying, mailing or other supplies associated with your request. We may not charge you a fee if you need the information for a claim for benefits under the Social Security Act or any other state or federal needs-based benefit program. We may deny your request in certain limited circumstances. If we do deny your request, you have the right to have the denial reviewed by a licensed healthcare professional who was not directly involved in the denial of your request, and we will comply with the outcome of the review.
2. **Right to an Electronic Copy of Electronic Medical Records:** If your PHI 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 PHI in the form or the format you request, if it is readily producible in such form or format. If the PHI is not readily 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.

3. Right to Get Notice of a Breach: You have the right to be notified upon a breach of any of your unsecured PHI.

4. Right to Amend: If you feel that health information we have is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by or for our office. To request an amendment, you must make your request, in writing, addressed to: Charles Scudelari at the address above.

5. Right to an Accounting of Disclosures: You have the right to request a list of certain disclosures we made of health information for purposes other than treatment, payment and health care operations or for which you provided written authorization. To request an accounting of disclosures, you must make your request, in writing, to Charles Scudelari at the address above.

6. 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 healthcare 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 a your request, in writing, to Charles Scudelari at the address above. We are not required to agree to your request unless you are asking us to restrict the use and disclosure of your PHI to a health plan for payment or health care operation purposes and such information you wish to restrict pertains solely to a healthcare item or service for which you have paid us "out-a-pocket" in full. If we agree, we will comply with your request unless the information is needed to provide you with emergency treatment.

7. Out-of-Pocket Payments: If you paid out-of-pocket (or in other words, you have requested that we will not bill your health plan) in full for a specific item or service, you have the right to ask that your PHI with respect to that item or service not be disclosed to a health plan for purposes of payment or healthcare operations, and we will honor that request.

8. Right to Request Confidential Communications: You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. For example, you can ask that we only contact you by mail or at work. To request confidential communications, you must make your request, in writing, to Charles Scudelari at the address above. Your request must specify how or where you wish to be contacted. We will accommodate reasonable requests.

9. Right to a Paper Copy of this Notice: You have the right to a paper copy of this notice. You may ask us to give you a copy of this notice at any time. Even if you have agreed to receive this notice electronically, you are still entitled to a paper copy of this notice. You may obtain a copy of this notice at our website, [www.puebloradiology.com](http://www.puebloradiology.com). To obtain a paper copy of this notice, ask any of our office staff.

### **Changes to this Notice**

We reserve the right to change this notice and make the new notice apply to PHI we already have as well as any information we receive in the future. We will post a copy of our current notice at our office. The notice will contain the effective date on the first page, in the top right-hand corner.

### **Complaints**

If you believe your privacy rights have been violated, you may file a complaint with our office or with the Secretary of the Department of Health and Human Services. To file a complaint with our office, send your complaint, in writing, to Charles Scudelari, at the address above. All complaints must be made in writing. You will not be penalized for filing a complaint.

### **Effective Date of this Notice**

This revised notice went into effect on September 1, 2013.