

SPIRIT LAKE HEALTH CENTER

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.”

SUMMARY OF YOUR PRIVACY RIGHTS

A. Understand Your Medical Record/Information. Each time you visit Spirit Lake Health Center (SLHC) facility for services, a record of your visit is made. If you are referred by the SLHC through the Purchased/Referred Care (PRC) program, the SLHC also keeps a record of your PRC visit. Typically, this record contains your symptoms, examination, test results, diagnoses, treatment, and a plan for future care. This information, often referred to as your medical record, serves as a:

- 1) Plan for your care and treatment.
- 2) Communication source between health care professionals.
- 3) Tool with which we can check results and continually work to improve the care we provide.
- 4) Means by which Medicare, Medicaid, or private insurance payers can verify the services billed.
- 5) Tool for education of health care professionals.
- 6) Source of information for public health authorities charged with improving the health of the people.
- 7) Source of data for medical research, facility planning, and marketing.
- 8) Legal document that describes the care you receive.

B. Understanding what is in your medical record and how the information is used helps you to:

- 1) Ensure its accuracy.
 - 2) Better understand why others may review your health information.
 - 3) Make an informed decision when authorizing disclosures.
- C. Your Medical Record/Information Rights.** Your medical record is the physical property of the SLHC, but the information belongs to you. You have the right to:

- 1) Inspect and receive a paper or electronic copy of your health information.
- 2) Receive notification of a breach of your unsecured protected health information.
- 3) Request a restriction on certain uses and disclosures of your health information to include certain disclosures of protected health information to your health plan. The SLHC is not required to agree to the requested restriction except when the disclosure would be for the purpose of carrying out payment or health care operations and is not otherwise required by law and the PHI relates solely to a health care item or service for which the individual, or person other than the health plan on behalf of the individual, has paid the covered entity in full.
- 4) Request a correction or amendment to your health information. The SLHC may amend your record or include your Statement of Disagreement.
- 5) Request confidential communications about your health

information.

- 6) Request and obtain a listing of certain disclosures the SLHC has made of your health information.
 - 7) Revoke your written authorization to use or disclose health information.
 - 8) Request and obtain a paper or electronic copy of the SLHC Notice of Privacy Practices
 - 9) Request and obtain a paper or electronic copy of the patient's medical record from the SLHC Medical Records department.
- D. Spirit Lake Health Center Responsibilities.** The SLHC understands that health information about you is personal and is committed to protecting your health information. The SLHC is required by law to:
- 1) Maintain the privacy of your health information.
 - 2) Inform you about our privacy practices regarding health information we collect and maintain about you.
 - 3) Notify you if we do not agree to a requested restriction.
 - 4) Notify you of our decision regarding a request for correction or amendment.
 - 5) Accommodate reasonable requests you may have to communicate health information by alternate means or to an alternate location.
 - 6) Promptly notify you of a breach of unsecured protected health information (PHI).
 - 7) Honor the terms of this Notice or any subsequent revisions of this Notice.

REVISED NOTICE OF PRIVACY PRACTICES

The Spirit Lake Health Center (SLHC) reserves the right to change its privacy practices and to make the new provisions effective for all PHI it maintains. The SLHC will post any revised Notice of Privacy Practices at public places within its facilities or at: www.spiritlake-healthcenter.com.

1) How the SLHC may use and disclose health information about you. The SLHC will not use or disclose your health information without your permission, except as described in this Notice and as permitted by the HHS Privacy Act regulations, the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule, and the Genetic Information Nondiscrimination Act (GINA) of 2008. The following categories describe how SLHC may use and/or disclose your health information.

A. Treatment. We will use and/or disclose your health information to provide your treatment. For example:

- 1) Your personal information will be recorded in your medical record and used to determine the course of treatment for you. Your health care provider will document in your medical record their instructions to members of your healthcare team. The actions taken and the observations made by the members of your healthcare team will be recorded in your medical record so your health care provider will know how you are responding to treatment.
- 2) If you are referred or transferred to another facility or provider for further care and treatment, the SLHC may disclose information to that facility or provider to enable them to know the extent of treatment you have received and other information about your condition.
- 3) Your health care provider(s) may give copies of your health information to others, including health care professionals or personal representatives, to assist in your treatment.

B. Payment Purposes. We will use and disclose your health information

for payment purposes. For example:

- 1) If you have private insurance, Medicare, or Medicaid, a bill will be sent to your health plan for payment. The information on or accompanying the bill will include information that identifies you, as well as your diagnosis, procedures, and supplies used for your treatment.
- 2) If you are referred to another health care provider under the Purchased/Referred Care (PRC) program, the SLHC may disclose your health information to that provider for health care payment purposes.

C. Health Care Operations. We will use and disclose your health information for health care operations. For example:

- 1) We may use your health information to evaluate your care and treatment outcomes with our quality improvement team. This information will be used to continually improve the quality and effectiveness of the services we provide.

D. Health Information Exchange (HIE). The SLHC may make your health information available electronically through an information exchange network to other providers involved in your care who request your electronic health information. Participation in the national eHealth Exchange network is voluntary. If you want your health information to be accessible to authorized health care providers through the HIE to the national eHealth Exchange, you must authorize this use and disclosure. More information is available at <http://www.ihs.gov/hie/>

E. Personal Health Record. The Personal Health Record (PHR) is a secure web based application that provides patient access to their health care information. The PHR is accessible to any patient who receives care at an SLHC facility and requests a PHR account.

F. Direct. The SLHC may share your health information between providers and between healthcare providers, patients and/or patients' authorized representatives, using the DIRECT secure, web based messaging service.

G. Business Associates. The SLHC provides some healthcare services and related functions through the use of contracts with business associates. For example, the SLHC may have contracts for medical transcription. When these services are contracted, the SLHC may disclose your health information to business associates so that they can perform their jobs. The SLHC requires our business associates to protect and safeguard your health information in accordance with applicable Federal laws.

H. Notification . The SLHC may use or disclose your health information to notify or assist in the notification of a family member, personal representative, or other authorized person(s) responsible for your care, unless you notify us that you object.

I. Communication with Family. All SLHC health providers may use or disclose your health information to others involved with and/or responsible for your care unless you object. For example, the SLHC may provide your family members, other relatives, close personal friends, or any other person you identify, with health information that is relevant to that person's involvement with your care or payment for such care.

J. Adults and Emancipated Minors with Personal Representatives. The SLHC may disclose health information to a personal representative of an individual who has been declared incompetent due to physical or mental incapacity by a court of competent jurisdiction.



Spirit Lake Health Center Notice of Privacy Practices

Summary of Your Privacy Rights

L. Interpreters . In order to provide you proper care and services, the SLHC may use the services of an interpreter. This may require the disclosure of your health information to the interpreter.

M. Research . The SLHC may use or disclose your health information for research purposes when approved based on your written authorization.

N. Organ Procurement Organizations. The SLHC may use or disclose your health information to organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of organs for the purpose of facilitating organ, eye, or tissue donation and transplant

O. Uses and Disclosures about Decedents. The SLHC may use or disclose health information about decedents to a coroner or medical examiner for the purpose of identifying a deceased person, determining a cause of death, or other duties as authorized by law. The SLHC also may disclose health information to funeral directors consistent with applicable law as necessary to carry out their duties. In addition, the SLHC may disclose health information about decedents where required under the Freedom of Information Act or otherwise required by law.

P. Treatment Alternatives and Other Health Related Benefits and Services. The SLHC may contact you to provide information about treatment alternatives or other types of health related benefits and services that may be of interest to you. For example, we may contact you about the availability of new treatment or services for diabetes.

Q. Food and Drug Administration. The SLHC may disclose your health information to the Food and Drug Administration (FDA) in connection with a FDA regulated product or activity. For example, we may disclose to the FDA information concerning adverse events involving food, dietary supplements, product defects or problems, and information needed to track FDA regulated products or to conduct product recalls, repairs, replacements, or look backs (including locating people who have received products that have been recalled or withdrawn), or post marketing surveillance

R. Appointment Reminders. The SLHC may contact you with a reminder that you have an appointment for medical care at an SLHC facility or to advise you of a missed appointment.

S. Workers Compensation. The SLHC may disclose your health information for workers compensation purposes as authorized or required by law.

T. Public Health. The SLHC may use or disclose your health information to public health or other appropriate government authorities (Federal, State, local or Tribal) as follows:

1) To government authorities that are authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, or conducting public health

surveillance, investigations, and interventions;

2) To government authorities that are authorized by law to receive reports of child abuse or neglect, and

3) To government authorities that are authorized by law to receive reports of other abuse, neglect, or domestic violence, or as authorized by law if the SLHC believes it is necessary to prevent serious harm. Where authorized by law, the SLHC may disclose your health information to an individual who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading a disease or condition. In some situations or if necessary to prevent or lessen a serious and imminent threat to the health and safety of an individual or the public), the SLHC may disclose to your employer health information concerning a work related illness or injury or a workplace related medical surveillance. (for example, if you are employed by SLHC or another component of the Department of Health and Human Services (HHS

U. Correctional Institution. If you are an inmate of a correctional institution, the SLHC may disclose to the institution, health information necessary for your health and the health and safety of other individuals such as officers, employees, or other inmates

V. Law Enforcement. The SLHC may disclose your health information for law enforcement activities as authorized by law or in response to an order of a court of competent jurisdiction.

W. Health Oversight Authorities. The SLHC may disclose your health information to health oversight agencies for activities authorized by law. These oversight activities may include: investigations, audits, inspections, and other actions. These are necessary for the government to monitor the health care system, government benefit programs, and entities subject to government regulatory programs and/or civil rights laws for which health information is necessary to determine compliance. The SLHC is required by law to disclose health information to the Secretary, HHS to investigate or determine compliance with the HIPAA privacy standards.

X. Members of the Military. If you are a member of the military services, the SLHC may disclose your health information if necessary to the appropriate military command authorities as authorized by law

Y. Compelling Circumstances. The SLHC may disclose your health information in certain other situations involving compelling circumstances affecting the health or safety of an individual. For example, in certain circumstances:

1) The SLHC may disclose limited health information where requested by a law enforcement official for the purpose of identifying or locating a suspect, fugitive, material witness, or missing person;

2) If you are believed to be a victim of a crime and a law enforcement official requests information about you and we are unable to obtain your agreement because of incapacity or other emergency circumstances, we may disclose the requested information if we determine that such disclosure would be in your best interests;



3) The SLHC may use or disclose health information that we believe is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person;

4) The SLHC may disclose health information in the course of judiciary and administrative proceedings if required or authorized by law;

5) The SLHC may disclose health information to report a crime committed on SLHC health facility premises or when the SLHC is providing emergency health care; and

6) The SLHC may use or disclose health information during a disaster and for disaster relief purposes

Z. Required by Law. The SLHC may use or disclose health information to the extent that such use or disclosure is required by law and the use or disclosure complies with and is limited to the relevant requirements of such law

AA. Non Violation of this Notice. The SLHC is not in violation of this Notice or the HIPAA Privacy Rule if any of its employees or its contractors (business associates) discloses health information under the following circumstances:

1) Disclosures by Whistleblowers. If SLHC employee or business associate in good faith believes that the SLHC has engaged in conduct that is unlawful or otherwise violates clinical and professional standards or that the care or services provided by the SLHC has the potential of endangering one or more patients, members of the workplace, or the public and discloses such information to:

a. A Public Health Authority or Health Oversight Authority authorized by law to investigate or otherwise oversee the relevant conduct or conditions, or the suspected violation, or an appropriate health care accreditation organization for the purpose of reporting the allegation of failure to meet professional standards or misconduct by the SLHC; or

b. An attorney on behalf of the workforce member, or contractor (business associate) or hired by the workforce member or contractor (business associate) for the purpose of determining their legal options regarding the suspected violation.

2) Disclosures by Workforce Member Crime Victims. Under certain circumstances, SLHC workforce member (either an employee or contractor) who is a victim of a crime on or off the SLHC facility premises may disclose information about the suspect to law enforcement officials provided that:

a. The information disclosed is about the suspect who committed the criminal act.

b. The information disclosed is limited to identifying and locating the suspect.

BB. Any Other Uses and Disclosures. Most uses and disclosures of psychotherapy notes (where appropriate) require authorization. Other uses and disclosures of PHI not listed in this Notice will be

made only with your written authorization, which you may later revoke in writing at any time. Such revocation would not apply where the health information already has been disclosed or used or in circumstances where the SLHC has taken action in reliance on your authorization or the authorization was obtained as a condition of obtaining insurance coverage and the insurer has a legal right to contest a claim under the policy or the policy itself.

Rights under this Notice or to Request Information or Report a Problem

To exercise your rights under this Notice, to ask for more information, or to report a problem contact the Service Unit Chief Executive Officer or the appropriate Privacy official at:

Spirit Lake Health Center

Facility name

PO Box 309, Fort Totten, ND 58335

Address

701-766-1600

Phone Number

If you believe your privacy rights have been violated, you may file a written complaint with the above individual or the Compliance Officer at Spirit Lake Health Center.

There will be no retaliation for filing a complaint

Effective date: **January 1, 2018**

Ag. Sap. Dec. 19. 2018
HIPAA
Health Insurance Portability and
Accountability Act

PRIVACY RULE

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