

# **Carroll Hospital Center HIPAA Privacy Notice**

**Statutory Reference:**

Standards for Privacy of Individually identifiable Health Information, Final Rule, Office of the Secretary, Department of Health and Human Services. 45 CFR Section 164.520. Published in the *Federal Register* of Thursday, December 28, 2000.

**Compliance Information:**

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN OBTAIN ACCESS TO THIS INFORMATION.**

**PLEASE REVIEW IT CAREFULLY.**

To persons enrolled in the Carroll Hospital Center,

The Plan is required by law to maintain the privacy of protected medical information and to provide covered individuals with notice of its legal duties and privacy practices with respect to protected medical information. However, the Plan is permitted to use and disclose this information under the circumstances described in this notice.

The Plan is required to abide by the terms of this notice until it is amended. The Plan reserves the right to change the terms of this notice and to make the new notice provisions effective for all protected health information that it maintains. All individuals covered under the Plan will receive a revised notice within 60 days of a material revision to the notice.

In order for Carroll Hospital Center's Health Plan to pay for your covered medical expenses, the Plan and those administering the Plan must create or receive certain medical information about you. This information may involve:

- Payment activities such as billing and collection activities, eligibility determinations, adjudication of claims, precertification and utilization review, and coordination of benefits, or
- Health care operation activities such as quality assessment, case management, subrogation or business management and general administrative activities, or
- Treatment activities by your health care provider, such as providing information about other treatments you have received.

By your enrolling in the plan, you have agreed to allow the Plan and its administrators to create or use your medical information in order to perform these duties without your express authorization. The Plan may also disclose medical information about you without your authorization to business associates of the plan, such as actuaries who price the cost of coverage, the claims administrator who pays the claims or other professionals who perform services on behalf of the Plan. All disclosures made by the Plan of medical information for purposes of payment or health care operation activities shall be the minimum necessary to accomplish the intended purpose of the disclosure, and any business associate who receives the information must agree to keep it confidential.

The Plan may be required to make available to the Department of Health and Human Services all books and records regarding the health information of covered persons if this information is requested for audit purposes. You will not have to authorize this disclosure.

The Plan may disclose information about your medical records to a medical professional treating you. No authorization is necessary for this disclosure.

The law requires the Plan to make certain disclosures. These include disclosures:

- As necessary to comply with workers compensation or other similar programs.
- As necessary for courts and law enforcement agencies. Disclosures to a law enforcement agency may occur if required by law (such as the occurrence of certain types of wounds) or if required by a court order or other legal process. The Plan may also disclose medical information: for the purpose of identifying or locating a suspect, witness, fugitive or missing person; about a crime victim, if the victim agrees or emergency circumstances require disclosure without consent; about a person who has died if the nature of the death suggests that it may be the result of criminal conduct; or if there is evidence to suggest that a crime occurred on the premises.
- As necessary for public health research and disclosure, including reporting of communicable diseases to the applicable authorities (who may contact exposed individuals) and workforce medical investigations.
- As necessary to a health oversight agency for oversight activities authorized by law. However, this will generally not include an investigation of a particular individual unless it involves receipt of health care, public health benefits or public benefits contingent on the individual's health.
- As necessary if disclosure is required by another law.

Summary of Pennsylvania Statutes (Last updated in August 2002)

Pennsylvania statutorily grants a patient the right of access to his medical records that are maintained by health care providers, health care facilities and managed care plans. The state does not have a general, comprehensive statute protecting the privacy of confidential medical information. Rather, these privacy protections are addressed in statutes governing specific entities or medical conditions.

The Plan may also be permitted or required to disclose medical information without your authorization under the following circumstances:

- If authorized by law, to the proper authorities for purposes of reporting child abuse or domestic violence. Subject to certain restrictions, the Plan may also report this information to social services, but must generally inform the victim of the abuse that it is making the disclosure.
- To people working for or with the Food and Drug Administration. These disclosures may be necessary: to report adverse events with respect to food or dietary supplements, product defects (including use or labeling defects), or biological product deviations; for product tracking; to enable product recalls, repairs or replacements; or to conduct post marketing surveillance.
- Upon your death, to a coroner, funeral director or to tissue or organ services, as necessary to permit them to perform their functions.
- Under certain circumstances, for research purposes.
- To prevent or lessen a serious threat to the health or safety of a person or the public.
- If authorized by law, in connection with military matters or matters of national security and intelligence.

In addition, the Plan may disclose medical information to the Plan Sponsor, Carroll Hospital Center, under the following conditions:

- Carroll Hospital Center may not use any such information for employment-related decisions.
- Carroll Hospital Center may receive such information as the Plan documents allow.
- You have the right to inspect the Plan documents allowing disclosures.

Other uses and disclosures of your medical information will be made only with your written authorization and you may revoke the authorization at any time, upon request.

You have the right:

- To request restrictions on certain uses and disclosures of your medical information. The Plan does not have to agree with a requested restriction, but if the Plan does agree, then the Plan will abide by that restriction.
- To receive your own confidential health information by alternative means or at alternative locations, if receipt of the information in the usual manner could endanger you. You should contact The Carroll Hospital Center Privacy Officer to request the alternative delivery. You must include a statement that disclosure of the information in the usual manner could endanger you.
- To inspect and copy your own health information, but exceptions apply to certain types of information. If you request to see or copy your own health information from Carroll Hospital Center Privacy Officer and one of these exceptions apply, you will be given more information at that time, including the circumstances under which you may challenge the exception.
- To amend your own health information when that information is incorrect.
- To obtain an accounting of any disclosure of your confidential health information, other than disclosures for purposes of payment, health care operations or treatment, or disclosures made in accordance with your written authorization.
- To obtain a paper copy of this notice upon request. [If this version is provided electronically.]

In each case, you must make your request to the Privacy Officer, in writing. Depending upon the nature of the request, you will be given more information at that time, including any exceptions to the rules that may apply to your case.

Individuals may complain to the Plan Sponsor and/or to the Secretary of Health and Human Services if they believe their privacy rights have been violated. If you wish to file such a complaint, please contact Carroll Hospital Center's Privacy Officer, Susan Winter, at 317-472-1231 and you will be given information on how to proceed. You will not be retaliated against by the Plan or Plan Sponsor for the complaint. The Department of Health and Human Services may be contacted in Washington, DC or listings may be found in local telephone directories.

For further information contact the Carroll Hospital Center's Privacy Officer, Director of Human Resources, at 200 Memorial Avenue, Westminster, MD 21157, or 410-871-6837.

Date: January 2016