



# Hearts for Hospice

*It's All About Living!*

NOTICE OF HOSPICE PRIVACY PRACTICES



#### **Contact Person**

Hearts for Hospice's contact person for all issues regarding patient Privacy and your rights under the Federal privacy standards is:

**Shaw Phillips, Compliance Manager**

**677 Quality Drive #201**

**American Fork, UT 84003**

**(888) 772-0243**

#### **Effective date:**

This notice is effective Dec, 2 2008

## NOTICE OF HOSPICE PRIVACY PRACTICES

### NOTICE OF HOSPICE 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.**

#### USE AND DISCLOSURE OF HEALTH INFORMATION

Hearts for Hospice may use your health information for purposes of providing you treatment, obtaining payment for your care and conducting health care operations. Your health information may be used or disclosed only after Hearts for Hospice has obtained your written consent. Hearts for Hospice has established a policy to guard against unnecessary disclosure of your health information.

**THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER WHICH AND PURPOSES FOR WHICH YOUR HEALTH INFORMATION MAY BE USED AND DISCLOSED AFTER YOU HAVE PROVIDED YOUR WRITTEN CONSENT:**

##### **To Provide Treatment**

Hearts for Hospice may use your health information to coordinate care within the Hospice program and with others involved in your care, such as your attending physician, members of the Hearts for Hospice interdisciplinary team and other health care professionals who have agreed to assist Hearts for Hospice in coordinating care. For example, physicians involved in your care will need information about your symptoms in order to prescribe appropriate medications. Hearts for Hospice may disclose your health care information to individuals outside of Hearts for Hospice involved in your care including family members, clergy whom you have designated, pharmacists, suppliers of medical equipment or other health care professionals that the Hearts for Hospice uses in order to coordinate your care.

##### **To Obtain Payment**

Hearts for Hospice may include your health information in invoices to collect payment from third parties for the care you may receive from Hearts for Hospice. For example, Hearts for Hospice may be required by your health insurer to provide information regarding your health care status so that the insurer will reimburse you or Hearts for Hospice. Hearts for Hospice also may need to obtain prior approval from your insurer and may need to explain to the insurer your need for hospice care and the services that will be provided to you. The Right to amend health care information. If you or your representative believes that your health information records are incorrect or incomplete, you may request that Hearts for Hospice amend the records. That request may be made as long as the information is maintained by Hearts for Hospice.

**A request for an amendment of records** must be made in writing to Hearts for Hospice. Hearts for Hospice may deny the request if it is not in writing or does not include a reason for the amendment. The request also may be denied if your health information records were not created by Hearts for Hospice, if the records you are requesting are not part of Hearts for Hospice's records, if the health information you wish to amend is not part of the health information you or your representative are permitted to inspect and copy, or if, in the opinion of Hearts for Hospice, the records containing your health information are accurate and complete.

**Right to an accountant:** You or your representative have the right to request an accounting of disclosures of your health information made by Hearts for Hospice for any reason other than for treatment, payment or health operations, and other than when you have signed an authorization for disclosure. The request for an accounting must be made in writing to

**Hearts for Hospice  
Shaw Phillips, Compliance Officer  
677 Quality Drive # 201,  
American Fork, Utah 84043**

Accounting requests may not be made for periods of time in excess of six years. Hearts for Hospice would provide the first accounting you request during any 12-month period without charge. Subsequent accounting requests may be subject to a reasonable cost-based fee.

**Right to a paper copy of this notice.** You or your representative has a right to a separate paper copy of this notice at anytime even if you or your representative have received this notice previously upon request. To obtain a separate paper copy, please contact

**Hearts for Hospice  
Shaw Phillips, Compliance Officer  
677 Quality Drive # 201,  
American Fork, Utah 84043  
(888) 772-0243**

Hearts for Hospice patient or a representative may also obtain a copy of the current version of Hearts for Hospice's Notice of Privacy Practices at its website, [www.heartsforhospice.com](http://www.heartsforhospice.com)

#### **DUTIES OF HEARTS FOR HOSPICE**

Hearts for Hospice is required by law to maintain the privacy of your health information and to provide to you and your representative this Notice of its duties and privacy practices. Hearts for Hospice is required to abide by terms of this Notice as may be amended from time to time. Hearts for Hospice reserves the right to change the terms of its Notice and to make the new Notice provisions effective for all health information that it maintains. If Hearts for Hospice changes its Notice, Hearts for Hospice will provide a copy of the revised Notice to you or your appointed representative. You or your personal representative has the right to express complaints to Hearts for Hospice and to the Secretary of Health and Human Services if you or your representative believes that your privacy rights have been violated. Any complaints to Hearts for Hospice should be made in writing to

Hearts for Hospice  
Shaw Phillips, Compliance Officer  
677 Quality Drive # 201,  
American Fork, Utah 84043

Hearts for Hospice encourages you to express any concerns you may have regarding the privacy of your information. You will not be retaliated against in any way for filing a complaint.

#### **YOU'RE RIGHTS WITH RESPECT TO YOUR HEALTH INFORMATION**

You have the following rights regarding your health information that Hearts for Hospice maintains:

1. *Right to request restrictions.* You may request restrictions on certain uses and disclosures of your health information. You have the right to request a limit on Hearts for Hospice's disclosure of your health information to someone who is involved in your care. However, Hearts for Hospice is not required to agree to your request. If you wish to make a request for restrictions, please contact our office.
2. *Right to receive confidential communications.* You have the right to request that Hearts for Hospice communicate with you in a certain ways. For example, you may ask that Hearts only conduct communications pertaining to your health information with you privately with no other family members present.
3. *Right to inspect and copy your health information.* You have the right to inspect and copy your health information, including billing records. A request to inspect and copy records containing your health information may be made to Hearts for Hospice, Shaw Phillips, Compliance Manager, if you request a copy

of your health information, Hearts for Hospice may charge a reasonable fee for copying and assembling costs associated with your request.

### **To Conduct Health Care Operations**

Hearts for Hospice may use and disclose health care information for its own operations in order to facilitate the function of Hearts for Hospice and as necessary to provide quality care to all of Hearts for Hospice's patients. A health care operation includes such activities as:

- Quality assessment and improvement activities.
- Activities designed to improve health or reduce health care costs.
- Protocol development, case management and care coordination.
- Contacting health care providers and patients with information about treatment alternatives and other related functions that do not include treatment.
- Professional review and performance evaluation.
- Training programs including those in which students, practitioners in health care learn under supervision.
- Training of non-health care professionals.
- Accreditation, certification, licensing or credentialing activities.
- Review and auditing, including compliance reviews, medical reviews, legal services and compliance programs.
- Business planning and development including cost management and planning related analyses.
- Business management and general administrative activities of Hearts for Hospice.
- Certain marketing activities.

For example Hearts for Hospice may use your health information to evaluate its staff performance, combine your health information with other Hospice patients in evaluating how to more effectively serve all Hospice patients, disclose your health information to Hospice staff and contracted personnel for training purposes, use your health information to contact you as a reminder regarding a visit to you.

### **When Legally Required.**

Hearts for Hospice will disclose your health information when it is required to do so by any Federal, State or local law.

### **When There Are Risks to Public Health.**

Hearts for Hospice may disclose your health information for public activities and purposes in order to:

- Prevent or control disease, injury or disability, report disease, injury, vital events such as birth or death and the conduct of public health surveillance, investigations and interventions.
- To report adverse events, product defects, to track products or enable product recalls, repairs and replacements and to conduct post-marketing surveillance and compliance with requirements of the Food and Drug Administration.
- To notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease.
- To an employer about an individual who is a member of the workforce as legally required.

### **To report abuse, neglect or domestic violence.**

Hearts for Hospice is allowed to notify government authorities if Hearts for Hospice believes a patient is the victim of abuse, neglect or domestic violence. Hearts for Hospice will make this disclosure only when specifically required or authorized by law or authorized by the owners of Hearts for Hospice or when the patient agrees to the disclosure.

### **To Conduct Health Oversight Activities.**

Hearts for Hospice may disclose your health information to a health oversight agency for activities including audits, civil administrative or criminal investigations, inspections, licensure or disciplinary action. Hearts for Hospice, however, may not disclose your health information if you are the subject of an investigation and your health information are not directly related to your receipt of health care or public benefits.

### **In Connection with Judicial and Administrative Proceedings.**

Hearts for Hospice may disclose your health information in the course of any judicial or administrative proceeding in response to an order of a court or administrative tribunal as expressly authorized by such order or in response to a subpoena or other lawful process, but only when Hearts for Hospice makes reasonable efforts to either notify you about the request or to obtain an order protecting your health information.

**For Law Enforcement Purposes.**

Hearts for Hospice may disclose your health information to a law enforcement official for law enforcement purposes as follows:

- As required by law for reporting of certain types of wounds or other physical injuries pursuant to the court order, warrant, subpoena or summons or similar process.
- For the purpose of identifying or locating a suspect, fugitive, material witness or missing person.
- Under certain limited circumstances, when you are the victim of a crime.
- To a law enforcement official if Hearts for Hospice has a suspicion that your death was the result of criminal conduct including criminal conduct at Hearts for Hospice.
- In an emergency in order to report a crime.
- To the Coroners And Medical Examiners. Hearts for Hospice may disclose your health information to coroners and medical examiners for purposes of determining your cause of death or for other duties, as authorized by law.

**To Funeral Directors.**

Hearts for Hospice may disclose your health information to funeral directors consistent with applicable law and if necessary, to carry out their duties with respect to your funeral arrangements. If necessary to carry out their duties, Hearts for Hospice may disclose your health information prior to and in reasonable anticipation, of your death or for Organ, Eye or tissue donation. Hearts for Hospice may use or disclose your health information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs, eyes or tissue for the purpose of facilitating the donation and transplantation.

**For Research Purposes.**

Hearts for Hospice may, under very select circumstances, use your health information for research. Before Hearts for Hospice discloses any of your health information for such research purposes, the project will be subject to an extensive Hearts for Hospice approval process.

**In the Event of a Serious Threat to Health or Safety.**

Hearts for Hospice may, consistent with applicable law and ethical standards of conduct, disclose your health information if Hearts for Hospice, in good faith, believes that such disclosure is necessary to prevent or lessen a serious and imminent threat to your health or safety or to the health and safety of the public.

**For Specified Government Functions.**

In certain circumstances, the Federal regulations authorize Hearts for Hospice to use or disclose your health information to facilitate specified government functions relating to military and veterans, national security and intelligence activities, protective services for the President and others, medical suitability determinations and inmates and law enforcement custody.

**For Worker's Compensation.**

Hearts for Hospice may release your health information for worker's compensation or similar programs.

**AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION**

Other than is stated above, Hearts for Hospice will not disclose your health information other than with your written authorization. If you or your representative authorizes Hearts for Hospice to use or disclose your health information, you may revoke that authorization in writing at any time.