



Notice of Privacy Practices

THIS NOTICE DESCRIBES HOW HEALTH INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO YOUR INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION. PLEASE REVIEW THIS NOTICE CAREFULLY.

USE AND DISCLOSURE OF HEALTH INFORMATION

Tillery Compassionate Care (TCC) may use your health information, information that constitutes protected health information as defined in the Privacy Rule of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996, for purposes of providing you treatment, obtaining payment for your care and conducting health care operations. TCC has established policies 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:

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

To Obtain Payment. TCC may include your health information in invoices to collect payment from third parties for the care you receive from TCC. For example, TCC may be required by your health insurer to provide information regarding your health care status so that the insurer will reimburse you or TCC. TCC 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.

To Conduct Health Care Operations. TCC may use and disclose health information for its own operations in order to facilitate the function of TCC and as necessary to provide quality care to all of TCC's patients. Health care operations include 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, trainees or 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 and formulary development.
- Business management and general administrative activities of TCC.
- Fundraising for the benefit of TCC.

For example TCC 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, or contact you as part of general fundraising and community information mailings (unless you tell us you do not want to be contacted).

For Fundraising Activities. TCC may use information about you including your name, address, phone number, treating physician, outcome information, health insurance status, and the dates you received care to raise money for TCC. TCC may also release this information to a related Hospice foundation. If you do not want this information used for fundraising activities, you have the opportunity to opt out of these activities. Notify the **Community Outreach Manager at 704-983-4216** and indicate that you do not want your information included in fundraising activities.

For Appointment Reminders. TCC may use and disclose your health information to contact you as a reminder that you have an appointment for a home visit.

For Treatment Alternatives. TCC may use and disclose your health information to tell you about or recommend possible treatment options or alternatives that may be of interest to you.

THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER WHICH AND PURPOSES FOR WHICH YOUR HEALTH INFORMATION MAY ALSO BE USED AND DISCLOSED.

When Legally Required. TCC 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. TCC 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.
- 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.
- Notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease.
- Notify an employer about an individual who is a member of the workforce as legally required.

To Report Abuse, Neglect or Domestic Violence. TCC is allowed to notify government authorities if TCC believes a patient is the victim of abuse, neglect or domestic violence. TCC will make this disclosure only when specifically required or authorized by law or when the patient agrees to the disclosure.

To Conduct Health Oversight Activities. TCC may disclose your health information to a health oversight hospice for activities including audits, civil administrative or criminal investigations, inspections, licensure or disciplinary action. TCC, however, may not disclose your health information if you are the subject of an investigation and your health information is not directly related to your receipt of health care or public benefits.

In Connection with Judicial and Administrative Proceedings. TCC 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, discovery request or other lawful process, but only when TCC makes reasonable efforts to either notify you about the request or to obtain an order protecting your health information.

For Law Enforcement Purposes. As permitted or required by State law, TCC may disclose your health information to a law enforcement official for certain 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 TCC has a suspicion that your death was the result of criminal conduct including criminal conduct at TCC. In an emergency in order to report a crime.

SUD Treatment Information. If we receive or maintain any information about you from a substance use disorder treatment program that is covered by 42 CFR Part 2 (a "Part 2 Program") through a general consent you provide to the Part 2 Program to use and disclose the Part 2 Program record for purposes of treatment, payment or health care operations, we may use and disclose your Part 2 Program record for treatment, payment and health care operations purposes as described in this Notice. If we receive or maintain your Part 2 Program record through specific consent you provide to us or another third party, we will use and disclose your Part 2 Program record only as expressly permitted by you in your consent as provided to us. In no event will we use or disclose your Part 2 Program record, or testimony that describes the information contained in your Part 2 Program record, in any civil, criminal, administrative, or legislative proceedings by any Federal, State, or local authority, against you, unless authorized by your consent or the order of a court after it provides you notice of the court order.

To Coroners and Medical Examiners. TCC 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. TCC 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, TCC may disclose your health information prior to and in reasonable anticipation of your death.

For Organ, Eye or Tissue Donation. TCC 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. TCC may, under very select circumstances, use your health information for research. Before TCC discloses any of your health information for such research purposes, the project will be subject to an extensive approval process.

In the Event of a Serious Threat to Health or Safety. TCC may, consistent with applicable law and ethical standards of conduct, disclose your health information if TCC, 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 TCC 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. TCC may release your health information for worker's compensation or similar programs.

AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION

Other than is stated above, TCC will not disclose your health information other than with your written authorization. If you or your representative authorizes TCC to use or disclose your health information, you may revoke that authorization in writing at any time by contacting the Privacy Officer.

YOUR RIGHTS WITH RESPECT TO YOUR HEALTH INFORMATION

You have the following rights regarding your health information that TCC maintains:

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 TCC's disclosure of your health information to someone who is involved in your care or the payment of your care. However, TCC is not required to agree to your request. You may also restrict disclosure to a health plan if you pay for the service in full, out of pocket, at the time of the service. If you wish to make a request for restrictions, please contact **Privacy Officer at 704-983-4216**.

Right to receive confidential communications. You have the right to request that TCC communicate with you in a certain way. For example, you may ask that TCC only conduct communications pertaining to your health information with you privately with no other family members present. If you wish to receive confidential communications, please discuss with your care team or contact the Hospice of Stanly County, Inc. **privacy officer at 704-983-4216**. TCC will not request that you provide any reasons for your request and will attempt to honor your reasonable requests for confidential communications.

Right to request to inspect and copy your health information. You have the right to inspect and copy your health information, including billing records. A written request to inspect and copy records containing your health information may be made to **privacy officer at 704-983-4216**. You must complete an Access Request Form which is available from our Privacy Officer. Our agency must act on this request no later than 30 days after receipt of the request. We may deny your request in certain circumstances. If we deny your request, we will explain our reason for doing so in writing. We will also inform you in writing if you have the right to have our decision reviewed by another person. We may be able to provide you with a summary or explanation of the information. Contact our Privacy Officer for more information on these services. If you request a copy of your health information, TCC may charge a reasonable fee for copying and assembling costs associated with your request.

Right to request to amend health care information. You or your representative have the right to request that TCC amend your records, if you believe that your health information is incorrect or incomplete. That request may be made as long as the information is maintained by TCC. A request for an amendment of records must be made in writing to **Privacy Officer, Tillery Compassionate Care, 960 North First Street, Albemarle, NC 28001**. TCC 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 TCC, if the records you are requesting are not part of TCC'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 TCC, the records containing your health information are accurate and complete.

Right to request an accounting. You or your representative have the right to request an accounting of disclosures of your health information made by TCC for certain reasons, other than treatment, payment and health care operations, including reasons related to public purposes authorized by law and certain research. You or your representative has the right to request an accounting for all disclosures of electronic medical records. The request for an accounting must be made in writing to **Privacy Officer, Tillery Compassionate Care, 960 North First Street, Albemarle, NC 28001**. The request should specify the time period for the accounting starting on or after April 14, 2003. Accounting requests may not be made for periods of time in excess of six (6) years. For electronic records, an accounting may be requested for all disclosures made during the 3 years prior to the date of the request. TCC 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 be notified of breaches of unsecured health information. A breach is defined as the "acquisition, access, use, or disclosure of protected health information in a manner not permitted under the privacy rule which compromises the security or privacy of the protected health information." This notification only applies to protected health information, which is unsecured, meaning not encrypted or not shredded.

Right to a paper copy of this notice. You or your representative have a right to a separate paper copy of this Notice at any time even if you or your representative have received this Notice previously. To obtain a separate paper copy, please contact Privacy Officer at 704-983-4216.

DUTIES OF TCC

Tillery Compassionate Care is committed to health information privacy. TCC 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. TCC is required to abide by the terms of this Notice as may be amended from time to time. TCC 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 TCC changes its Notice, TCC will provide a copy of the revised Notice to you or your appointed representative. You or your personal representative have the right to express complaints to TCC and to the Secretary of DHHS if you or your representative believe that your privacy rights have been violated. Any complaints to TCC should be made in writing to **Privacy Officer, Tillery Compassionate Care, 960 North First Street, Albemarle, NC 28001**. TCC 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.

CONTACT PERSON

TCC has designated the Privacy Officer as its contact person for all issues regarding patient privacy and your rights under the Federal privacy standards. You may contact this person at **Tillery Compassionate Care, 960 North First Street, Albemarle, NC 28001, 704-983-4216**.

EFFECTIVE DATE

This Notice is effective April 14, 2003. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, PLEASE CONTACT THE **Privacy Officer, Tillery Compassionate Care North First Street, Albemarle, NC 28001 or 704-983-4216**.