



## NOTICE OF HOSPICE PRIVACY PRACTICES

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU (AS A PATIENT OF JOURNEYS HOSPICE) MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO YOUR INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION. PLEASE REVIEW IT CAREFULLY.**

### **Use and Disclosure of Health Information**

Journeys Hospice understands that the security of your private health information is an important concern. We take the protection of your personal data very seriously and provide training regarding patient privacy to all employees. We would like to inform you about our security measures with this privacy statement. Journeys Hospice 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. The Hospice 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:**

The Hospice may use your health information to coordinate care within the Hospice and with others involved in your care, such as your attending physician, members of the Hospice interdisciplinary team and other health care professionals who have agreed to assist the Hospice in coordination care. For example, physicians involved in your care will need information about your symptoms in order to prescribe appropriate medications. The Hospice also may disclose your health care information to individuals outside of the Hospice involved in your care including family members, pharmacist, suppliers of medical equipment or other health care professionals.

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

The Hospice may include your health information in invoices to collect payment from third parties for the care you receive from the Hospice. For example, the Hospice may be required by your health insurer to provide information regarding your health care status so that the insurer will reimburse you or the Hospice. The Hospice also may need to obtain prior approval from your insurer and may need to explain to the insurer your need for hospice and the services that will be provided to you.

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

The Hospice may use and disclose health information for its own operations in order to facilitate the function of the Hospice and as necessary to provide quality care to all of the Hospice'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 the Hospice.
- Fundraising for the benefit of the Hospice, unless you choose to opt out.

For example the 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, 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:**

The Hospice may use information about you including your name, address, phone number and the dates you received care in order to contact you to raise money for the Hospice unless you tell us you do not wish to be contacted. The Hospice will only use your personal health information for marketing purposes or sell your information if authorization is received prior to use.

**For Appointment Reminders:**

The Hospice 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:**

The Hospice 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:**

The Hospice may 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:**

The 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.

- 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.

**To Report Abuse, Neglect or Domestic Violence:**

The Hospice is allowed to notify government authorities if the Hospice believes a patient is the victim of abuse, neglect or domestic violence. The Hospice 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:**

The 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. The Hospice, 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:**

The 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, discovery request or other lawful process, but only when the Hospice 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, the Hospice 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 the Hospice has a suspicion that your death was the result of criminal conduct including criminal conduct at the Hospice.
- In an emergency in order to report a crime.

**To Coroners and Medical Examiners:**

The 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:**

The 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, the Hospice may disclose your health information prior to and in reasonable anticipation of your death.

**For Organ, Eye or Tissue Donation:**

The 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 if such procedures are requested by you.

**For Research Purposes:**

The Hospice does not participate in research programs.

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

The Hospice may, consistent with applicable law and ethical standards of conduct, disclose your health information if the 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 regulation authorizes the 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:**

The Hospice may release your health information for worker's compensation or similar programs. Other uses and disclosures not described will be made only with your authorization.

**AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION**

If you or your representative authorizes the Hospice to use or disclose your health information, you may revoke that authorization in writing at any time. You have the following rights regarding your health information that the Hospice 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 the Hospice's disclosure of your health information to someone who is involved in your care or the payment of your care. However, the Hospice is not required to agree to your request. If you wish to make a request for restrictions please contact the Hospice Privacy Office. Also, you may request the Hospice to not disclose your personal health information to a health plan for payment where we have been paid in full, out of the pocket, at the time of the service. However, it is not the responsibility of the Hospice to notify downstream providers of the fact that you have requested a restriction on the disclosure of personal health information to a health plan. In accordance with the Genetic Information Nondiscrimination Act (GINA) of 2008, the Hospice considers genetic information personal health information and will not use it to determine eligibility for coverage of hospice services nor report to companies for underwriting purposes.
- **Right to Receive Confidential Communications:** You have the right to request that the Hospice communicate with you in a certain way. For example, you may ask that the Hospice 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 contact the Hospice Administrator at 208-461-3035. The Hospice will not request that you provide any reasons for your request and will attempt to honor your reasonable request for confidential communications.

- **Right to Inspect and Copy Your Health Information:** You have the right to inspect and obtain a copy your health information, including billing records. A request to inspect and obtain a copy records containing your health information may be made to the Hospice Administrator at 208-461-3035. If desired, you may request and receive a copy of your records in an electronic format. If you request a copy of your health information, the Hospice may charge a reasonable fee for copying and assembling costs associated with your request.
- **Right to Amend Health Care Information:** You or your representative, have the right to request that the Hospice 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 the Hospice. A request for an amendment of records must be made in writing to the Hospice Administrator:

Journeys Hospice  
223 E. Amity Ave.  
Nampa, ID 83686

The 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 the Hospice, if the records you are requesting are not part of the 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 the Hospice, the records containing your health information are accurate and complete.

- **Right to an Accounting:** You or your representative have the right to request an accounting of disclosures of your health information made by the Hospice for certain reasons, including reasons related to public purposes authorized by law and certain reasons, including reasons related to public purposes authorized by law and certain research. This is a list of the disclosures of your protected health information we have made that where (1) not made to carry out treatment, payment, or health care operations, (2) not authorized by you, or (3) not part of a limited data set whereby disclosures do not directly identify you. The request for an accounting must be made in writing to:

Journeys Hospice  
Medical Records  
223 E. Amity Ave.  
Nampa, ID 83686

The request should specify the time period for the accounting starting on or after April 14, 2003 as provided by federal law. Accounting request may not be made for periods of time in excess of six (6) years for paper form. All disclosures made by electronic health record may be requested for three (3) years prior to the date of the request. The Hospice would provide the first accounting you request during any 12-month period without charge. Subsequent requests may be subject to reasonable costs.

- **Right to Notification of Breach:** If the Hospice determines that there has been a breach of your protected health information, we will provide you or your representative with written notice by first class mail or by email if you agree to receive electronic notices. The notification will be provided no later than 60 days following the discovery of the breach. The notification will include a description of the breach; description of the type of information involved in the breach; the steps that you or your representative should take to protect you from harm; a brief description of what

the Hospice is doing to investigate the breach, mitigate the harm, and prevent further breaches; and the contact information for the Hospice. The Hospice will notify you by telephone as well as written notice in cases deemed by the Hospice to require urgency because of possible imminent misuse of protected health information.

- **Right to a Paper Copy of This Notice:** You, or your representative, have a right to a separate 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 the Hospice Privacy Officer at 208-461-3035.

### **Duties of the Hospice**

The 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. The Hospice is required to abide by the terms of this Notice as may be amended from time to time. The Hospice reserves the right to change the terms of its Notice and the new Notice provisions effective for all health information that it maintains. If the Hospice changes its Notice, the Hospice will provide a copy of the revised Notice to you or your appointed representative.

We are committed to excellence in patient care and welcome an opportunity to address your concerns. You, or your personal representative, have the right to express complaints to the Hospice and to the Secretary of the Department of Health and Human Services (HHS), U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Washington, D.C. 20201. To file a complaint with HHS the complaint must be submitted in writing. Any complaints to the Hospice should be made in writing to:

Journeys Hospice  
223 E. Amity Ave.  
Nampa, ID 83686

The 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.

### **Contact Person**

The Hospice has designated the Hospice Privacy Officer as its contact person for all issues regarding patient privacy and your rights under the Federal privacy standards. You may contact:

Hospice Administrator  
Journeys Hospice  
223 E. Amity Ave.  
Nampa, ID 83686

### **Notice Date:**

This notice is effective September 20, 2013