

Doctor's Office
577 Coastguard Walk
PO Box 5333
Fire Island Pines, NY 11782-0960

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 READ IT CAREFULLY.

Understanding Your Health Record (Protected Health Information)

Each time you visit a hospital, physician, or other healthcare provider, a record of your visit is made. Typically, this record contains your symptoms, examination and test results, diagnoses, treatment and a plan for future care or treatment. This information, often referred to as your protected health information (PHI), serves as:

- A basis for planning your care and treatment
- A means of communication among the many health professionals who contribute to your care
- A legal document describing the care you received
- A means by which you or a third-party payer can verify that services billed were actually provided
- A tool in educating health professionals
- A source of data for medical research
- A source of information for public health officials charged with improving the health of the nation
- A source of data for facility planning and marketing
- A tool with which to assess and continually work to improve the care we render and the outcomes we achieve

Understanding what is in your record and how your health information is used helps you to:

- Ensure its accuracy
- Better understand who, what, when, where, and why others may access your health information
- Make more informed decisions when authorizing disclosures to others

Your Health Information Rights

Although your health record is the physical property of the healthcare practitioner or facility that compiled it, the information belongs to you. You have the right to:

- Request a restriction on certain uses and disclosures of your PHI to carry out treatment, payment or health care operations; to those involved in your care; or for notification of your location, general condition or death. The Practitioner is not required to agree to the restriction.
- Obtain a paper copy of the *Notice of Privacy Practices* upon request.
- Inspect and obtain a copy of your PHI for a reasonable fee.
- Amend your PHI. The Practitioner may deny your request under certain circumstances (e.g., the information is accurate and complete.)
- Obtain an accounting of disclosures of your PHI (a list of the disclosures The Practitioner made of information about you.) This does not include disclosures to carry out treatment, payment or health care operations or disclosures pursuant to an authorization.
- Request and receive reasonable accommodation to receive communications of PHI by alternative means (e.g. e-mail) or at alternative locations (e.g., different address).

- Revoke your consent or authorization to use or disclose PHI except to the extent that The Practitioners has acted in reliance upon it.

The Practitioners Health Information Responsibilities

The practitioners are required by law to:

- Maintain the privacy of your PHI.
- Provide you with a notice of our legal duties and privacy practices with respect to information we collect and maintain about you.
- Use or disclose your PHI only with your written consent, even where a specific written authorization is not required, except as required by law or as necessary to provide services to you or to provide for medical audits by the Department of Health and Human Services.
- Use or disclose your PHI only upon your specific written authorization relating to the PHI to be used or disclosed, except as described in this notice.
- Abide by the terms of this notice.
- Notify you if we are unable to agree to a requested restriction.
- Accommodate reasonable requests you may have to communicate health information by alternative means or at alternative locations.

The Practitioners may use or disclose your PHI without your specific written authorization under the following circumstances:

- For its own treatment, payment, or health care operations.
- To another health care provider for treatment activities of that health care provider.
- To another health care organization or provider for payment activities of that provider.
- To another health care organization for its health care operations activities under certain circumstances.
- As required by law (to prevent or control disease, injury and/or disability.)
- To provide for medical audits by the Department of Health and Human Services.

Notwithstanding any statement elsewhere in this *Notice*, the Practitioners will not use or disclose PHI in any way that is restricted or prohibited by law. Uses and disclosures to which this applies include:

- PHI of minor patients to parents or guardians under certain circumstances (e.g., treatment for a sexually transmitted disease, performance of an abortion, when a minor patient over twelve years old objects to the disclosure.)
- PHI relating to certain diseases except where specifically required or permitted by law.
- Psychotherapy Notes except for use by the originator of the psychotherapy notes for treatment or use or disclosure by The Practitioners for its own training programs or to defend itself in a legal action or other proceeding brought by the patient.
- Marketing except for face-to-face communication with you or to give you a gift of nominal value.

We reserve the right to change the terms of this *Notice* and to make the new provisions effective for all PHI we maintain. Should our information practices change, the revised *Notice* will be made available to you at your request and will be posted in a clear and prominent location at The Practitioners.

For More Information, to Revoke a Consent/Authorization or to Report a Problem

For the procedure regarding exercising any of your rights under this *Notice*, to revoke an existing consent or authorization or if you have questions or would like additional information; you may contact Edwin Schulhafer, MD at 908-526-0200.

If you believe your privacy rights have been violated, you can file a complaint with The Practitioners or with the Secretary of the Department of Health and Human Services at the following address:

Sec. Tommy Thompson
U.S. Department of HHS
200 Independence Avenue, S.W.
Washington, D.C. 20201
(877) 696-6775
hhs.mail@hhs.gov

There will be no adverse consequences or retaliation against you for filing a complaint.

Examples of Disclosures for Treatment, Payment and Health Care Operations

Treatment: Treatment means provision, coordination, or management of your care by a health care provider(s) including coordination or management of your care with a third party, consultation between health care providers about you, or referral from one provider to another. For example, a medical provider at The Practitioners can release copies of your lab results to another medical provider that s/he is consulting about your care.

Payment: Payment means a health care provider's activities to provide or receive reimbursement for health care services provided to you, including determinations of eligibility or coverage; billing, claims management, collection activities, and related health care data processing; review of health care services for medical necessity, coverage under a health plan, appropriateness of care, or justification of charges; utilization review activities; and certain reimbursement-related disclosures to consumer reporting agencies. For example, The Practitioners may send a bill to your insurer that includes information identifying the patient, the patient's diagnosis, and the procedures and supplies used.

Health Care Operations: Health care operations include activities such as conducting quality assessment and improvement activities; population-based activities relating to improvement of health care; reviewing the competence or qualifications of health care professionals; conducting training programs for health care professionals; accreditation, certification, licensing, and credentialing activities; conducting or arranging for medical review, legal services, and auditing functions; business planning and development; and business management and general administrative activities. The Practitioners may also disclose your health record to another health care provider who treated you for that provider's quality assessment activities. For example: The Practitioners quality improvement team may use information in your health record to assess the care and outcomes in your case and others like it in an effort to continually improve the quality and effectiveness of the care it provides.

Appointment Reminders, Treatment Alternatives, and Other Health-Related Benefits: The Practitioners may contact you to provide appointment reminders, information about treatment alternatives, or other health-related benefits and services that may be of interest to you.

Fund-Raising: The Practitioners may contact you to raise funds for the organization.

Examples of Other Permitted or Required Uses and Disclosures

With the Opportunity to Agree or Object: While the uses and disclosures described below may be done without your specific written authorization, you must usually be given an opportunity to agree or object.

Directory Information: The Practitioners may use your name, location at The Practitioners, general condition, and religious affiliation in a patient directory for its facility. The Practitioners may disclose the directory information to members of the clergy and, except for your religious affiliation, to anyone who asks for you by name.

Those Involved with a Patient's Care: The Practitioners may disclose to a family member, other relative, your close personal friend, or any other person identified by you, PHI directly relevant to that person's involvement with your care or payment related to your care.

Notification of a Patient's Location, General Condition, or Death: The Practitioners may use or disclose PHI to notify or assist in notifying a family member, your personal representative, or another person responsible for your care of your location, general condition, or death including to an organization authorized by law or by its charter to assist in disaster relief efforts for the purpose or coordinating notification.

Without the Opportunity to Agree or Object: So long as the privacy rule requirements are followed, the uses and disclosures described below may be done without your specific written authorization and without giving you an opportunity to agree or object.

Required by Law: The Practitioners may use or disclose PHI to the extent the use or disclosure is required by law and complies with and is limited to the relevant requirements of such law.

Public Health Activities: The Practitioners may disclose PHI for a variety of public health activities. These include disclosure to a public health authority authorized by law to collect or receive information for the prevention or control of disease, injury, or disability or to a public health or other authority authorized by law to receive reports of child abuse or neglect; to a person under the jurisdiction of the FDA regarding an FDA-regulated product or activity for which that person has responsibility for purposes related to the quality, safety, or effectiveness of the FDA-regulated product or activity; if authorized by law to do so, to someone who may have been exposed to a communicable disease; or to your employer when The Practitioners provides health care at the employer's request to conduct an evaluation relating to medical surveillance of the workplace or to evaluate whether you have a work-related illness or injury.

Abuse, Neglect, or Domestic Violence: The Practitioners may disclose PHI about you when The Practitioners reasonable believes you to be a victim of abuse, neglect, or domestic violence, to a government authority authorized to receive this information to the extent such use or disclosure is required by law and complies with, and is limited to the relevant requirements of such law; or where you agree to the disclosure; or, under circumstances where expressly authorized by law.

Health Oversight Activities: The Practitioners may disclose PHI to a health oversight agency for oversight activities authorized by law, including audits; civil, administrative, or criminal investigations, proceedings, or actions; inspections; licensure or disciplinary actions; or other activities necessary for the oversight of the healthcare system, government benefit programs, or compliance with governmentally-regulated program standards or civil rights laws where health information is necessary to determine compliance. Where you are the subject of the investigation or activity, there are restrictions on when such information may be used or disclosed.

Judicial and Administrative Proceedings: The Practitioners may disclose PHI in a judicial or administrative proceeding in response to a court or administrative tribunal order, or, so long as certain requirements are met, a subpoena, discovery request, or other lawful process not accompanied by court or tribunal order.

Law Enforcement Purposes: The Practitioners may disclose PHI for a law enforcement purpose to a law enforcement official under certain specified circumstances.

Coroners, Medical Examiners, and Funeral Directors: The Practitioners may disclose PHI to coroners or medical examiners for the purpose of identifying a deceased person, determining a cause of death, or other duties as authorized by law. The Practitioners may also disclose PHI to funeral directors as necessary to carry out their duties.

Organ Donation: The Practitioners may use or disclose PHI to organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of cadaveric organs, eyes, or tissue for the purpose of facilitating donation and transplantation.

Research: So long as certain requirements are met, The Practitioners may disclose PHI to researchers for reviews preparatory to research, for research on a decedent's information, and when an institutional review board has approved the research.

Threat to health or Safety: The Practitioners may, subject to certain exceptions and so long as certain requirements are met, use or disclose PHI to designated organizations or individuals where necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public or to identify or apprehend someone who may have caused serious physical harm to another person or who appears to have escaped from custody.

Other Specialized Government Functions: The Practitioners may use or disclose PHI in certain instances related to military and other specialized government functions, for example, for members of the armed forces, as deemed necessary by appropriate military command authorities.

Worker's compensation: The Practitioners may disclose PHI as authorized by and to the extent necessary to comply with laws relating to worker's compensation or other similar legally established programs.

Federal law makes provision for your health information to be released to an appropriate health oversight agency, public health authority or attorney, provided that a work force member or business associate believes in good faith that we have engaged in unlawful conduct or have otherwise violated professional or clinical standards and are potentially endangering one or more patients, workers, or the public.