

NOTICE OF PRIVACY PRACTICES

NORWICH ORTHOPEDIC GROUP PC.
82 NEW PARK AVENUE
NORTH FRANKLIN, CT 06254
860-889-7345

Effective Date of this Notice	APRIL 1, 2003
Privacy Officer/Contact Person	CLINICAL MANAGER
Phone Number	860-889-7345

THIS NOTICE DESCRIBES HOW MEDICAL/PROTECTED HEALTH INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

At Norwich Orthopedic Group PC. we are required to protect the privacy of your medical/health information about you and that can be identified with you. This is called "protected health information" or "PHI" for short. We respect the privacy and confidentiality of your protected health information. This Notice of Privacy Practices ("Notice") describes the ways in which we may use and disclose your medical/protected health information and how you can get access to this information. Your health information is contained in your medical and billing records maintained by this organization. It includes demographic information and information that relates to your present, past or future physical or mental health and related healthcare services. This Notice applies to uses and disclosures we may make of all your protected health information whether created by us in our practice or received by us from another healthcare provider.

[Our satellite address is 35 Halls Hill Road, Colchester, CT 06415]

A. OUR LEGAL DUTY TO PROTECT YOUR HEALTH INFORMATION

Federal and State Laws require us to:

- ✓ Maintain the privacy of your PHI that we have created in our practice or received from another health care provider whether it is about your past, present, or future health care condition;
- ✓ Maintain the privacy of your PHI regarding payment for your healthcare;
- ✓ Notify you about how we protect your PHI;
- ✓ Explain how, when and why we use and disclose PHI about you;
- ✓ Abide by the terms of this Notice, as currently in effect;
- ✓ Notify you if we are unable to agree to a requested restriction on how your PHI is used or disclosed;
- ✓ Accommodate reasonable requests that you make to communicate health information by alternative means or at alternative locations; and
- ✓ Obtain your written authorization to use or disclose your PHI for reasons other than those listed below and permitted by law.

We know that your protected health information is personal. We are committed to protecting your information. So as to provide you with good care and to insure that we follow all legal

requirements, we document (in a medical record) the care and services that we provide to you. This Notice applies to those records.

CHANGES TO THIS NOTICE

We reserve the right to change the terms of this Notice of Privacy Practices and to make the new provisions effective for all PHI we already have about you as well as any protected health information we create or receive in the future. If we make any changes, we will:

- a. Post the revised Notice in our office(s), which will contain the new effective date;
- b. Make copies of the revised Notice available to you upon request at our offices listed in this Notice.

<p>B. WE MAY USE AND DISCLOSE PROTECTED HEALTH INFORMATION ABOUT YOU TO PROVIDE TREATMENT TO YOU, TO OBTAIN PAYMENT FOR SERVICES RENDERED TO YOU, AND FOR HEALTHCARE OPERATIONS.</p>

We may use and disclose your PHI for purposes of healthcare treatment, payment and healthcare operations as described below.

1. For Treatment:

We may use and disclose your protected health information to provide you with medical treatment and services and to coordinate or manage your healthcare and related services. We may use and disclose your protected health information to doctors and nurses, as well as lab technicians, dieticians, physical therapists, PA-C, APRN and other parties involved in your care, both within our organization and with other health care providers involved in your care. We may disclose information to people outside our practice that may be involved in your care, such as your family members, clergy or others who participate in your care. All information is recorded in your medical record, which is necessary for health care providers to determine what treatment you should receive. Healthcare providers will also record actions taken by them in the course of your treatment and note your reactions. We may also disclose your PHI to providers or facilities that may be involved in your care *after* you leave our facility or our care.

Examples of how we will disclose information for treatment may include sharing information about you with:

- a. Referring physicians;
- b. Your primary care physician or family physician;
- c. Skilled Nursing Facilities/Rehabilitation
- d. Hospitals
- e. Pharmacies;
- f. Visiting Nurses

A practice-specific example:

- a. Physical Therapy
- b. Surgical Instrument Representative

2. For Payment:

We may use and disclose your PHI so that we can bill and receive payment for the treatment and services you receive from us. For billing and payment purposes, we may disclose your protected health information to an insurance company or managed care company, Medicare, Medicaid, or any other third party payer. The information on the bill may contain information that identifies your diagnosis, treatment and supplies used in the course of treatment. We may inform an insurance company about treatment that we intend to provide to you so that we can obtain the appropriate approvals and/or to confirm coverage for your treatment.

Examples of how we will disclose information for payment include:

- a. We may contact your health plan to confirm your coverage
- b. We may contact your health plan for pre-certification of a service
- c. We may contact any other organizations that provided you with medical services to obtain payment information from them
- d. We may provide information to any other healthcare provider who requests information necessary for them to collect payment
- e. We may share information with other billing departments of other providers and healthcare entities
- f. We may share information with collection departments
- g. We may share information with agents of health plans (third party administrators) who are involved in the payment of a claim
- h. We may share information with consumer reporting agencies (credit bureaus).

A practice-specific example:

- a. Legal Guardian
- b. Legal Conservator
- c. Social Services Departments

3. For Healthcare Operations:

We may use and disclose your PHI in performing business activities that we call "healthcare operations." This includes internal operations, such as for general administrative activities and to monitor the quality of care you receive at our facility. This type of use is necessary for us to run our practice and to be sure that our patients are receiving quality care.

Examples of how we will use and disclose information as it relates to healthcare operations include one or more of the following:

- a. We may use or disclose your PHI to review and improve the quality of care you receive;
- b. We may use or disclose your PHI to doctors, nurses, residents, students, volunteers or other medical staff for education and training purposes;
- c. We may use or disclose your PHI to our lawyers, consultants, accountants, and business associates;
- d. We may use PHI to identify groups of patients who have similar health problems to give them information about treatment alternatives, programs, or new procedures;
- e. We may use or disclose PHI to organizations that assess the quality of care we provide to our patients (such as government agencies or accrediting bodies);
- f. We may use and disclose PHI to organizations that evaluate, certify or license healthcare providers, staff or facilities in a particular specialty;
- g. We may use and disclose PHI to assist others who may be reviewing our activities such as accountants, lawyers, consultants, risk managers, and other who assist us in complying with state and federal laws;
- h. We may use and disclose PHI in the process of reviewing for healthcare fraud and abuse detection and compliance;
- p. In the process of using your PHI in the course of treatment, payment and healthcare operations, we may make incidental disclosure. We will take reasonable steps to limit incidental disclosures.

Practice-specific example. We may disclose information as it relates to healthcare operations when we:

- a. Leave messages on your answering machine
- b. Leave messages at your place of employment
- c. Send appointment reminder postcards
- d. Call to remind you of appointment
- f. Call you by name when you are in our practice

g. Share office space with another healthcare provider

C. OTHER USES AND DISCLOSURES WE MAY MAKE WITHOUT YOUR WRITTEN AUTHORIZATION

Under the Health Insurance Portability and Accountability Act Privacy Regulations, we may use and disclose your PHI in which you do not have to give authorization or otherwise have an opportunity to agree or object. "Use" refers to our internal utilization of your PHI. Specifically, "use" under the privacy regulations means: "...with respect to individually identifiable health information, the sharing, employment, application, utilization, examination, or analysis of such information within an entity that maintains such information." Disclosure refers to the provision of information by us to parties outside of our organization. Specifically, disclosure means: "...the release, transfer, provision of access to or divulging in any other manner, of information outside of the entity holding the information." We may make the following uses and disclosures of your protected health information **without** obtaining a written Authorization from you in situations such as:

1. Those Required by Law:

We may disclose your PHI when required to do so by law. For example, when federal, state or local law or other judicial or administrative proceeding requires that we disclose information about you.

2. Public Health Risk:

We may disclose your PHI for public health activities. For example, we may disclose protected health information about you if you have been exposed to a communicable disease or may otherwise be at risk of spreading a disease. Other examples may include reports about injuries or disability, reports of births and deaths, reports of child abuse and/or neglect, and reports regarding recall of products.

3. Our Facility Directory:

Unless you object, we may use and disclose certain limited information about you in our directory while you are in our practice. This information may include your name and your location within our practice (such as a department). Our directory will not include specific medical information about you. We may disclose directory information to people who ask for you by name.

4. Individuals Involved in Your Care or Payment for Your Care:

Unless you object, we may disclose PHI about you to a family member, relative, close personal friend, caregiver, neighbor or other person(s) you identify, including clergy, who are involved in your care. These disclosures are limited to information relevant to the person's involvement in your care or in payment for your care.

5. Disaster Relief:

Unless you object, we may disclose PHI about you to a public or private agency (like the American Red Cross) for disaster relief purposes. Even if you object, we may still share information about you, if necessary for the emergency circumstances.

6. Reporting Victims of Abuse, Neglect or Domestic Violence:

When authorized by law or if you agree to the report and if we believe that you have been a victim of abuse, neglect or domestic violence, we may use and disclose your PHI to notify a government authority.

7. Health Oversight Activities:

When authorized by law, we may disclose your PHI to a health oversight agency for activities. A health oversight agency is a state or federal agency that oversees the healthcare system. Some of the activities may include, for example, audits, investigations, inspections and licensure.

8. Judicial and Administrative Proceedings:

We may disclose your PHI in response to a lawsuit, dispute, court or administrative order. We also may disclose protected health information in response to a subpoena, discovery request, or other lawful process by another party involved in the action. We will make a reasonable effort to inform you about the request.

9. Law Enforcement:

We may disclose your PHI for certain law enforcement purposes, including, but not limited to:

- a. Reporting certain types of wounds and/or other physical injuries (i.e. gunshot wounds);
- b. Reports required by law;
- c. Reporting emergencies or suspicious deaths;
- d. Complying with a court order, warrant, subpoena, or other legal process;
- e. Identifying or locating a suspect or missing person, material witness or fugitive;
- f. Answering certain requests for information concerning crimes, about the victim of crimes;
- g. Reporting and/or answering requests about a death we believe may be the result of a crime;
- h. Reporting criminal conduct that took place on our premises; and
- i. In emergency situations to report a crime, the location of the crime or victim or the identity, description and/or location of a person involved in the crime.

10. Coroners, Medical Examiners, Funeral Directors, Organ/Tissue Donation Organizations:

We may release your PHI to a coroner, medical examiner, and funeral director. If you are an organ donor, we may release your protected health information to an organization involved in the donation of cadaveric organs and tissue to enable them to carry out their lawful duties. We can release information about deceased patients to funeral directors as necessary in allowing them to carry out their duties. We may disclose protected health information about you to a coroner or medical examiner for the purposes of identifying you should you die.

11. Research:

In some situations, your PHI may be used for research purposes if an institutional review board has approved the research. The institutional review board must have established procedures to insure that your protected health information remains confidential.

12. To Avert a Serious Threat to Health or Safety:

We may use or disclose your PHI to someone able to help lessen or prevent the threatened harm when necessary to prevent a serious threat to your health or safety or the health or safety of the public or another person. The disclosure would only be to a person or entity that would be able to help prevent the threat.

13. Military and Veterans:

If you are a member of the armed forces, we may use and disclose your PHI as required by military command authorities. We may also release medical information about you if you are a member of a foreign military as required by the appropriate foreign military authority.

14. National Security and Intelligence Activities Protective Services for the President and Others:

We may disclose PHI to authorized federal officials conducting national security, counterintelligence, and intelligence activities authorized by law.

15. Protective Services for the President and Others:

We may disclose your PHI to authorized federal officials as needed to provide protection to the President of the United States, other persons or foreign heads of states or to conduct certain special investigations.

16. Inmates/Law Enforcement Custody:

If you are an inmate of a correctional institution or under the custody of law enforcement official, we may disclose your PHI to the correctional institution or official for certain purposes. This type of disclosure is necessary for the following reasons:

- a. To insure that the correctional institution will provide you with healthcare;
- b. To protect your own health and safety;
- c. To protect the health and safety of others; and/or
- d. For the safety and security of the correctional institution.

17. Workers' Compensation:

We may use or disclose your PHI to comply with laws and regulations relating to workers' compensation or similar programs established by law that provide benefits for work-related injuries and/or illnesses.

18. Appointment Reminders:

We may use or disclose PHI to remind you about:

- a. appointments in our organization
- b. Appointments that we have scheduled for you with other healthcare organizations.

19. Treatment Alternatives and Health-Related Benefits and Services:

We may use or disclose your PHI to inform you about treatment alternatives and health-related benefits and services that may be of interest to you. This may include telling you about:

- a. treatments
- b. services
- c. products
- d. other healthcare providers
- e. special programs
- f. nutritional services

20. Business Associates:

We may disclose your protected health information to our business associates under a Business Associate Agreement. Some of these business associates may include, for example:

- a. Answering Service
- b. Transcription Service
- c. Accounting Services
- d. Attorney/Legal Services

<p align="center">D. ANY OTHER USE OR DISCLOSURE OF YOUR PROTECTED HEALTH INFORMATION REQUIRES YOUR WRITTEN AUTHORIZATION</p>
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Under any circumstances other than those listed above, we will request that you provide us with a written authorization before we use and disclose your PHI to anyone.

If you sign an authorization allowing us to disclose PHI about you in a specific situation, you can later revoke (cancel) your authorization in writing.

If you cancel your authorization in writing, we will not disclose your PHI about you **after** we receive your cancellation, except for disclosures, which were already being processed or made before we received your cancellation.

E. YOUR RIGHTS REGARDING YOUR PROTECTED HEALTH INFORMATION

You have the following rights regarding your PHI that we maintain:

1. The Right to Access Your Personal Protected Health Information:

Upon written request, you have the right to inspect and obtain a copy of your medical/PHI except under certain limited circumstances. Under state law, if we make a copy of your medical record, we will not charge you more than is permitted by the current rate allowed by state law for copies. We may also charge you a reasonable fee for x-rays, mailings and other supplies related to this request. You should submit your written request to access your health information to our Privacy Officer who is listed in this Notice.

We may deny your request to inspect or receive copies in certain limited circumstances. If you are denied access to your medical/PHI, in some cases you will have the right to request a review of this denial. A licensed healthcare professional designated by us and who did not participate in the original decision to deny access will perform this review.

2. The Right to Request Restrictions:

You have the right to request that a restriction on the way we use or disclose your PHI for treatment, payment or healthcare operations. Additionally, you can request that we limit the information we disclose about you to those individuals involved in your care or the payment of your services, such as a relative or friend. For example, you could request that we not use or disclose information about a procedure you had performed by one of our physicians. You should submit your written request to restrict your PHI to our Privacy Officer who is listed in this Notice. You must tell us what information you want restricted, to whom you want the information restricted, and whether you want to limit our use, disclosure, or both.

However, we are not required to agree to such a restriction. If we do agree to the restriction, we will honor that restriction except in the event of an emergency and will only disclose the restricted information to the extent necessary for your emergency treatment.

3. The Right to Request Confidential Communications:

You have the right to request that we communicate with you concerning your health matters in a certain manner or at a certain location. For example, you can request that we contact you only at a certain phone number or a specific address.

You should submit your written request for Confidential Communications to our Privacy Officer who is listed in this Notice. You must tell us how and where you want to be contacted.

We will accommodate your reasonable requests, but may deny the request if you are unable to provide us with appropriate methods of contacting you.

4. The Right to Request an Amendment:

You have the right to request that we make amendments or modify your clinical, billing and other PHI for as long as the information is kept by us. Your request must be made in writing and must explain your reasons for the requested amendment.

We may deny your request for amendment if the information:

- a. was not created by us (unless you prove the creator of the information is no longer available to amend the record);

- b. is not part of the records maintained by us;
- c. in our opinion, is accurate and complete;
- d. is information to which you do not have a right of access

If we deny your request for amendment, we will give you a written denial notice, including the reasons for the denial and explain to you that you have the right to submit a written statement disagreeing with the denial. Your letter of disagreement will be attached to your medical record.

You should submit your written request for an amendment to our Privacy Officer who is listed in this Notice.

5. The Right to An Accounting of Disclosures:

You have the right to request an accounting (a report) of certain disclosures of your PHI. You may ask for disclosures made up to six years before your request (but not including disclosures made prior to April 14, 2003). This is a listing of disclosures made by us or by others on our behalf. We are not required to include disclosures:

- a. made for treatment;
- b. made for billing or collection of payment for your treatment;
- c. made directly to you, that you authorized, or those which are made to individuals involved in your care;
- d. allowed by law when the use or disclosure relates to certain government functions or in other law enforcement custodial situations, and/or;
- e. Made in the process of our healthcare operations.

You must submit your request for an accounting of disclosures in writing to the Privacy Officer who is listed in this Notice. You must state the time period for which you would like the accounting. The accounting will include the disclosure date, the name, address (if known) of the person or entity that received the information, a brief description of the information disclosed; and a brief statement of the purpose of the disclosure. If you request a listing of disclosures more than once within a 12-month period, we will charge you a reasonable fee for the accounting. The first accounting, within a 12-month period, is provided to you at no charge. We will inform you of the costs involved in the event that you wish to withdraw your request.

6. The Right to a Paper Copy of This Notice:

You have the right to obtain a paper copy of this Notice. You may request a copy of this Notice at any time by contacting our office in writing or by phone.

F. DISCLOSURE OF PSYCHIATRIC, SUBSTANCE ABUSE AND HIV-RELATED INFORMATION.

For uses and disclosures of your PHI related to care for psychiatric conditions, substance abuse, or HIV-related information, special conditions may apply. For example, we generally may not disclose this specially protected information in response to a subpoena, warrant or other legal process unless you sign a special authorization or if a court orders the disclosure. A general release of your PHI will not be sufficient for purposes of disclosing psychiatric, substance abuse or HIV-related information.

1. Psychiatric Information:

We will not disclose records relating to a diagnosis or treatment of your mental condition between you and the psychiatrist without specific written authorization or as required or permitted by law.

2. HIV-related Information:

HIV-related information will not be disclosed, except under limited circumstances set forth under state or federal law, without your specific written authorization.

3. Substance Abuse Treatment:

If you are treated in a substance abuse program, information which could identify you as alcohol or drug-dependant will not be disclosed without your specific authorization except for purposes of treatment or payment or when specifically required or allowed under state or federal law.

G. COMPLAINTS

If you believe that your privacy rights have been violated, you may file a complaint in writing with us or with the government.

1. To file a complaint with the government, you may contact:

Office of Civil Rights
U.S. Department of Health and Human Services
200 Independence Avenue, S.W., Room 509F
HHH Building
Washington, D.C. 20201

2. To file a complaint with us, you should contact the Complaint Officer at address and phone number mentioned on page one.

3. You will not be retaliated against for filing a complaint.