

FOOTHILLS NEUROLOGY, P.C. HIPAA PRIVACY NOTICE

Purpose of this Notice

At Foothills Neurology, P.C. we are committed to treating and using protected health information about you responsibly. We are also required by federal law to take reasonable steps to ensure the privacy of your health information.

The use and disclosure of Protected Health Information (PHI) is regulated by the federal law, the Health Insurance Portability and Accountability Act (HIPAA). You may find these rules in 45 Code of *Federal Regulations* Parts 160 and 164. This Notice attempts to summarize key points in the regulation. The regulation will supersede this Notice if there is any discrepancy between the information in this Notice and the regulation.

Effective Date

The effective date of this Notice is April 14, 2003.

Privacy Officer

Foothills Neurology, P.C. has designated a Privacy Officer to oversee the administration of privacy at this office and to receive complaints. The Privacy Officer is the Practice Administrator and may be contacted as follows:

Gary Almy
Foothills Neurology, P.C.
4530 E. Muirwood Drive, Suite 111
Phoenix, AZ 85048
(480) 961-2365 ext. 35

Your Protected Health Information

Each time you visit Foothills Neurology, P.C. 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 serves as the basis for planning your care and treatment. It is also a means for communicating among the many health professionals who contribute to your care, is a legal document describing the care you received, and is the means by which you or a third-party payer can verify that services billed were actually provided.

The term "Protected Health Information" (PHI) includes all information related to your past, present, or future health condition(s) that individually identifies you or could reasonably be used to identify you and is transferred to another entity or maintained by Foothills Neurology, P.C. in spoken, written, electronic, or any other form.

When Foothills Neurology can disclose your PHI

Under the law, Foothills Neurology, P.C. may disclose your PHI, without authorization, in the following cases:

At your request. If you request it, Foothills Neurology, P.C. is required to give you access to your or your dependent's PHI.

As required by an agency of the government. In general, Foothills Neurology, P.C. does not need you to sign a valid authorization to release your PHI if required by law or for public health and safety purposes. Foothills Neurology, P.C. is allowed to use and disclose your PHI without your authorization under the following circumstances:

- When required by law
- When permitted for purposes of public health activities
- When authorized by law to report information about abuse, neglect, or domestic violence to public authorities if a reasonable belief exists that you may be a victim of such abuse.
- When required for judicial or administrative proceedings (e.g. subpoena or discovery request)
- When required for law enforcement purposes
- When required to be given to a coroner or medical examiner
- For research, subject to certain conditions
- To comply with workers' compensation or other similar programs established by law

For treatment, payment or health care operations. Foothills Neurology, P.C. and its business associates will use PHI, without a signed valid authorization or your opportunity to restrict or object, when carrying out treatment, payment or health care operations.

Implicit authorization to release PHI and process for restriction. In addition to disclosures mandated by law, and disclosures to individuals or entities you have specifically authorized, Foothills Neurology, P.C. will assume your authorization for release of PHI to the following:

- Your spouse, if you do not restrict or object
- Your legal representative with a valid power of attorney, your court-ordered (approved) guardian, or your conservator, if you do not restrict or object.
- Your designated personal representative, if you have not revoked your personal representative
- Either parent of a minor child, if you do not restrict or object

You may specifically restrict authorization by submitting a signed, written request for restrictions to the Privacy Officer noted on page one.

Your Individual Privacy Rights

Although your health record is the physical property of Foothills Neurology, P.C., the information in your record does belong to you and, therefore, you have rights related to its uses and disclosures. Except as otherwise indicated in this Notice, uses and disclosures of your PHI will be made only with your signed valid authorization, subject to your right to revoke your authorization.

In addition, you have the following rights:

You may inspect and receive a copy of your PHI.

You have the right to amend your PHI.

You have the right to receive an accounting of PHI disclosures:

At your request, Foothills Neurology, P.C. will provide you with an accounting of disclosures made by Foothills Neurology, P.C. The accounting will not include disclosures made before April 14, 2003.

You have the right to receive a paper copy of this Notice upon request.

Your personal representative:

You may exercise your rights to your PHI by designating a personal representative. You must designate your personal representative **before** the personal representative will be given access to your PHI or be allowed to take any action for you. Proof of such authority will be a completed and signed letter designating your personal representative.

- Foothills Neurology, P.C. will automatically consider a parent or guardian as the personal representative of an unemancipated minor (a child generally under age 18) unless applicable law requires otherwise or you restrict such disclosure.
- Personal representative designations may be revoked at any time by submitting a written statement of revocation. This statement must be received by the Privacy Officer prior to a revocation becoming effective.

You have the right to file a complaint if you believe your privacy rights have been violated.

To exercise one or more of these rights, you should submit a signed, written statement detailing your request to the Privacy Officer listed on page one of this Notice. Foothills Neurology, P.C. is not required to agree to your request if the Privacy Officer determines it to be unreasonable, for example, when a custodial parent is seeking treatment for your minor child or when it would interfere with Foothills Neurology, P.C.'s ability to file a claim.

Responsibilities of Foothills Neurology, P.C.

Foothills Neurology, P.C. is responsible for the following items:

Maintain privacy of your health information. Foothills Neurology, P.C. is required by law to maintain the privacy of your PHI.

Notice Distribution: Foothills Neurology, P.C. is required to provide you with notice of its legal duties and privacy practices. This Notice is effective beginning on April 14, 2003. However, Foothills Neurology, P.C. reserves the right to change its privacy practices and to apply the changes to any PHI received or maintained by Foothills Neurology, P.C. If a privacy practice is changed, a revised version of this Notice will be provided to patients.

Disclosing only the minimum necessary PHI: When using or disclosing PHI, Foothills Neurology, P.C. will make reasonable efforts not to use, disclose, or request more than the minimum amount of PHI necessary to accomplish the intended purpose of the use, disclosure, or request, taking into consideration practical and technological limitations. However, the minimum necessary standard will not apply in the following situations:

- Disclosures to or requests by a health care provider for treatment
- Uses or disclosures made to you
- Disclosures made to the DHHS
- Uses or disclosures required by law (e.g. Public Health Agencies)
- Uses or disclosures required for compliance with legal regulations (e.g. subpoenas)

Accommodate reasonable requests you may have to communicate health information by alternative means or at alternative locations.

Complaints

If you believe that your privacy rights have been violated, you may file a complaint with the Privacy Officer as follows:

Gary Almy, Foothills Neurology, P.C.
4530 E. Muirwood Drive, Suite 111
Phoenix, AZ 85048
(480) 961-2365 ext. 35

There will be no retaliation for filing a complaint. You may also file a complaint (within 180 days of the date you know or should have known about an act or omission) with the DHHS.

If you need more information

If you have any questions regarding this Notice or the subjects addressed in it, you may contact Foothills Neurology, P.C.'s Privacy Officer.