

FAMILY FOCUS & ASSOCIATES

HIPAA Privacy Notice

NOTICE OF PRIVACY PRACTICES IN COMPLIANCE WITH FEDERAL LAW EFFECTIVE SEPTEMBER 23, 2013

THIS NOTICE DESCRIBES HOW YOUR PROTECTED HEALTH INFORMATION MAY BE USED AND DISCLOSED

Family Focus refers to Family Focus LLC, its facilities, stakeholders, contractors, employees, volunteers and all other persons directly or indirectly associated with the enterprise. All clinicians at Family Focus abide by clinic policies but are independent contractors and not otherwise employed by the practice. Family Focus assumes no liability for the actions or inactions of independent contractors.

This Notice of Privacy Practices (Notice) describes the practices of Family Focus and that of:

- All employees, staff, volunteers, contractors and departments.
- Any member of a volunteer group allowed to help you while you are in our care.
- Any healthcare professional who is a member of our staff and involved in your care.

This Notice describes the legal obligations of Family Focus and your rights regarding your protected health information (PHI) held by Family Focus under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). HIPAA protects certain identifiable health information whether collected from you or received by a healthcare provider, clearinghouse, health plan, or your employer on behalf of a health plan, including:

- Your demographic information.
- Your past or present physical, medical and/or psychiatric condition.
- Healthcare that has been provided to you.
- Payment information regarding healthcare provided to you.

All entities, sites and locations will follow the terms of this Notice. These entities may share medical information with each other for purposes of treatment, payment or healthcare operations, as described in this Notice. Family Focus and its affiliated healthcare professionals work together in a clinically integrated setting. It is a teaching site for LSU Sciences Center. LSU faculty is integrated with Family Focus for training and education. In such settings, HIPAA permits the use of a single Notice to describe how Family Focus will disclose your PHI.

OUR PLEDGE REGARDING YOUR HEALTH INFORMATION

We are legally required to keep a record of the care you receive at Family Focus, but your medical information is personal and we are committed to protecting it. This Notice applies to all information generated by Family Focus, whether contained in your medical history, invoices, payment methods or any other records that include your PHI. Please be aware that healthcare providers who are not employed by Family Focus may have different policies or notices regarding the use and disclosure of your PHI.

ACKNOWLEDGMENT OF RECEIPT OF THIS NOTICE

Our intent is to make you aware of your privacy rights and the possible use and disclosure of your PHI. We ask that you acknowledge receipt of this Notice, but the provision of healthcare is in no way conditioned upon it. If you do not provide an acknowledgement, we will continue to provide treatment and will disclose your PHI as provided in this Notice when necessary.

HOW WE MAY USE AND DISCLOSE YOUR MEDICAL INFORMATION

In certain circumstances, we are permitted or required to disclose your PHI without obtaining your prior authorization and without offering you the opportunity to object. The following categories describe these circumstances. Not every permitted use or disclosure in a particular category will be listed; however, the circumstances in which we are permitted to disclose your PHI all fall within these categories.

Medical Treatment. We may disclose your PHI to doctors, nurses, technicians, medical students and other healthcare providers who take care of you. For example, a doctor setting a broken leg would need to know if you had diabetes, because diabetes would slow healing. The doctor would need to inform the dietitian to arrange for diabetic-friendly meals. Likewise, different departments of Family Focus may share your PHI to coordinate services, and we may disclose your PHI to third parties with whom we coordinate your care.

Payment. We may disclose your PHI so payment for services can be collected. For example, we might share information about you with someone who helps pay for your care.

Healthcare Operations. We may disclose your PHI for healthcare operations. For example, we may compile our patients' PHI for review by healthcare professionals who may suggest ways to improve the care we provide. We may also disclose PHI to doctors, nurses, medical students and other participants in our organization for purposes of education and to improve the quality of treatment we provide.

Business Associates. We may contract with various entities to perform work or provide services on our behalf. To perform these functions, our associates may receive, create, maintain or transmit your PHI, but only after they agree in writing to safeguard it.

Appointment Reminders. We may contact you to remind you of an appointment.

Healthcare Information Exchange. We may share your PHI through a special exchange so participants can use the information to provide treatment and for other lawful purposes.

Treatment Alternatives. We may contact you about alternative treatment options.

Health-Related Services. We may contact you about services like disease management programs and community activities in which we participate.

Fundraising. All fundraising communications will include instructions for opting out.

Legal Requirement. We will disclose your PHI when required by law to do so.

Research. We may disclose your PHI for a research project through an approval process that protects patient welfare and confidentiality. The process balances the research project's use of PHI against the sensitivity of said information. For example, a research project may involve comparing the health of patients who received a medication for a certain condition to patients who received a different medication for the same condition. For so long as the information does not leave Family Focus, we may also disclose PHI to researchers so they might, for example, identify patients with specific medical needs.

Avert Serious Threat. We may disclose your PHI in the event of a serious threat to the health and safety of you, another person or the public. Use or disclosure would only be made to someone who could help prevent the threat.

SPECIAL SITUATIONS

Organ and Tissue Donation. If you are a donor, we may disclose your PHI to organizations that manage organ procurement and transplantation to facilitate donation.

Military and Veterans. If you are a member of the armed forces, we may disclose your PHI as required by military command authorities. We may also release PHI about foreign military personnel to the appropriate authority.

Workers' Compensation. We may disclose your PHI for workers' compensation or similar programs that provide benefits for work-related injuries and/or illness.

Public Health Risks. We may disclose your PHI for public health activities, including to: a) Report births and deaths, b) Report child abuse or neglect, c) Prevent or control disease, injury or disability, d) Report to state and federal tumor registries, e) Report reactions to medications or problems with products, f) Notify people of product recalls, g) Notify people who may be at risk for contracting or spreading a disease, h) Provide immunization records to a school, if legally required, with agreement by the parent, guardian or person acting in loco parentis for a minor, i) Notify the proper authority if we believe you have been the victim of abuse, neglect or domestic violence, but only with your agreement or when required by law.

Health Oversight Activities. We may disclose your PHI to a health oversight agency for activities authorized by law. These activities include audits, investigations, inspections and licensure. These activities are necessary for the government to monitor the healthcare system, its programs and our compliance with civil rights laws.

Judicial and Administrative Proceedings. We may disclose your PHI in accordance with a court order. We may also disclose your PHI to obtain an order protecting the information or in response to a subpoena, discovery request or other process by another party involved in the dispute, after assurance that attempts will be made to notify you of the request.

Law Enforcement. We may disclose your PHI if requested by a law enforcement official to: a) Respond to a court order, subpoena, warrant, summons or similar, b) Identify or locate a suspect, fugitive, material witness or missing person, c) Provide information about a crime victim if we cannot obtain the victim's agreement, d) Provide information about a death suspected of being the result of criminal conduct, e) Provide information about criminal conduct at Family Focus, f) Report a crime, the location or victims of a crime, or the identity or location of the person who committed a crime.

Coroners, Medical Examiners and Funeral Directors. We may disclose your PHI to a coroner or medical examiner to identify a deceased person or determine cause of death. We may also release PHI to funeral directors if needed to perform their duties.

Inmates. If you are an inmate or in custody, we may disclose your PHI to the correctional institution or law enforcement official. This release would be permitted: a) To protect your health and safety or the health and safety of others, b) For the institution to provide you with healthcare, c) For the safety and security of the correctional institution.

National Security and Intelligence Activities. We may release your PHI to federal officials for intelligence, counterintelligence and authorized national security activities.

We may also disclose your PHI in the circumstances outlined below. Except in emergencies, we will inform you of our intended action prior to making any disclosure and give you the opportunity to object.

Hospital Directory. We may include limited PHI about you while you are a patient in a participating hospital. This information may include your name, location in the hospital, general condition and religious affiliation. Directory information may be released to people who ask for you by name. Religious affiliation may be given to clergy even if they do not ask for you by name.

Involved in Your Care. We may disclose your PHI to a person who participates in your healthcare. We may give your PHI to a person who pays for your care, or to family or friends to inform them if you are hospitalized, or to an entity assisting in disaster relief so your family or friends can be notified of your status.

We must usually obtain written authorization for disclosure of your PHI involving: a) Certain marketing communications and the possibility of financial remuneration, b) The sale of your PHI resulting in remuneration not permitted under HIPAA, c) Psychotherapy notes except for purposes of treatment, payment and healthcare operations, or if the disclosure is required by law for reasons of oversight or to avert serious threat.

Except as permitted under HIPAA or described above, disclosure of your PHI will only be made with your written authorization. You may revoke authorization at any time unless we have already acted in reliance on your prior authorization or unless you authorized the release as a condition of obtaining insurance coverage.

YOUR RIGHTS

You have the following rights regarding the PHI we maintain:

Right to Request Amendment. If you feel your PHI is incorrect or incomplete, you have the right to ask that it be amended for so long as it is kept by Family Focus. We may deny your request for an amendment if it is not in writing or does not include a reason to support the amendment. We may also deny your request if you ask us to amend PHI that: a) Was not created by Family Focus, unless creating entity can no longer amend it, b) Is not part of the medical information kept by Family Focus, c) Is not part of the information you are permitted to inspect and copy, d) Is accurate and complete.

A request for amendment must be submitted in writing to the Privacy Officer at Family Focus, 8303 O'Hara Court, Baton Rouge LA 70806. You have the right to file a disagreement if your request is denied. Any future disclosure of the disputed PHI would include your disagreement.

Right to Request Restrictions. You have the right to request a restriction on the PHI we disclose about you for treatment, payment or healthcare operations. You may also request a limit on the PHI we disclose to someone who participates in your care. For example, you might ask that we not disclose PHI about a certain surgery. Family Focus is not required to agree to your request. If we do agree, we will comply with your request unless the PHI is required for emergency treatment. Effective September 23, 2013, we will comply with any restriction request if: a) Disclosure is to a health plan for collecting payment or healthcare operations and not for conducting treatment except as required by law, b) The PHI pertains solely to a healthcare service for which Family Focus has been paid in full out of pocket.

Restriction requests must be submitted in writing to the Privacy Officer at Family Focus, 8303 O'Hara Court, Baton Rouge LA 70806. Your request must include: a) The information you want to limit, b) Whether you want to limit its use, disclosure or both, c) To whom you wish the limit to apply.

Family Focus is not responsible for notifying subsequent healthcare providers outside the organization of your request for restrictions. You must notify these providers to request they abide by the same restrictions.

Right to Request Confidential Communication. You have the right to request that we communicate with you in a certain way or at a certain location. For example, you might ask that we contact you only at work. Communication requests must be submitted in writing to the Privacy Officer at Family Focus, 8303 O'Hara Court, Baton Rouge LA 70806. We will accommodate all reasonable requests and will not ask you the reason for your request.

Right to Inspect and Copy Health Information. You have the right to inspect and copy information that may be used to make decisions about your care. This usually includes medical and billing records but does not include psychotherapy notes, information compiled for use in civil, criminal or administrative proceedings, or certain information governed by the Clinical Laboratory Improvement Act. If you request an electronic copy, and the information is maintained electronically, we will provide it in the requested format, or in a readily producible and readable electronic format if it is not. We will charge a fee consistent with HIPAA and Louisiana state law.

Despite your right to access your PHI, access may be denied in limited circumstances. For example, access may be denied if you are an inmate or participant in an ongoing research project. Access may be denied if The Privacy Act applies. Access to PHI that was obtained from someone other than a healthcare provider under promise of confidentiality may be denied if it is likely to reveal the source of the information. Family Focus will provide a written explanation for the denial of your right to inspect and copy. The decision to deny access under these circumstances is final.

Requests to inspect and copy your PHI must be submitted in writing to the Privacy Officer at Family Focus, 8303 O'Hara Court, Baton Rouge LA 70806. You will be charged for copying, mailing and any other costs associated with your request in accordance with Louisiana state law.

Right to an Accounting of Disclosures. You have the right to request an accounting of disclosures of your PHI made during the six-year period preceding the date of your request. However, the following disclosures will not be accounted for: a) Those made for treatment, payment or healthcare operations, b) Those already made to you, c) Those maintained in our patient directory, d) Those made to people involved in your care or for notifying people of your whereabouts, e) Those made for national security or intelligence purposes, f) Those made to law enforcement officials in whose custody you were at the time of disclosure, g) Those made prior to April 14, 2003, h) Those made pursuant to an authorization signed by you, i) Those that are part of a limited data set, j) Those that are incidental to another permissible use or disclosure, k) Those made to an oversight agency or law enforcement official, but only if we are not legally allowed to give you said accounting, and only for the time period covered by that request.

An accounting would include the date of each disclosure, the entity receiving the PHI, the address of the entity if known, and a brief description of the disclosure and its purpose, unless the right to receive the accounting is limited under HIPAA.

Requests for an accounting must be submitted in writing to the Privacy Officer at Family Focus, 8303 O'Hara Court, Baton Rouge LA 70806. Your request must state a time period and indicate the format in which you would like to receive it. The first accounting we provide in a 12-month period will be free. There is a charge for subsequent accountings. We will inform you of the cost and you may choose to modify or withdraw your request before any cost is incurred.

Right to Paper Copy of Notice. Paper copy of this Notice provided upon request.

OUR DUTIES

- We are required to ensure that PHI identifying you is private.
- We are required to provide you with this Notice of our privacy practices and duties.
- We are required to notify you if we discover a breach of your PHI as defined by law.
- We are required to follow the terms of this Notice.
- We reserve the right to change the terms of this Notice and to make those changes applicable to all PHI we maintain. Any changes to this Notice will be posted in our clinic and on our website.

NOTICE TO MINORS

With few exceptions, HIPAA offers no protection to minors and requires healthcare providers to release medical records to your parent or guardian upon request.

COMPLAINTS

If you believe your right to privacy has been violated, you may file a complaint with Family Focus or with the Secretary of the US Department of Health and Human Services. Complaints filed with Family Focus must be submitted in writing to the Privacy Officer at 8303 O'Hara Court, Baton Rouge LA 70806. You will not be penalized or retaliated against for filing a complaint. For more information about filing a complaint, please call the Privacy Officer at (225) 231-7155.

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