

**NOTICE OF PRIVACY PRACTICES
STORMONT-VAIL HEALTHCARE**

This Notice of Privacy Practices is effective January 1, 2010

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

STORMONT-VAIL HEALTHCARE HIPAA PRIVACY OFFICE
1500 S.W. 10th Ave.
Topeka, KS 66604
Phone: (785) 354-6343

**UNDERSTANDING YOUR MEDICAL INFORMATION – ITS USES AND
DISCLOSURES**

Stormont-Vail HealthCare is committed to preserving the privacy of your health information as required by state and federal laws. This Notice of Privacy Practices describes how the Stormont-Vail HealthCare System uses and discloses your health information and facilitates your rights related to health information. This Notice applies only to the records maintained by the Stormont-Vail HealthCare System. Your personal doctor, other health care providers or your health insurance plan may have different privacy policies or “notices” regarding the doctor’s, other provider’s or the plan’s use and disclosure of your health information that are created outside of the health care system. The names or locations of the providers in the Stormont-Vail HealthCare System who are governed by the policies and procedures described in this notice and share information with each other include but are not limited to:

ALMA HEALTH CARE CLINIC
CARDIOTHORACIC AND VASCULAR SURGEONS
COTTON-O’NEIL CANCER CENTER
COTTON-O’NEIL CLINIC-OSKALOOSA
COTTON-O’NEIL CLINIC HEART CENTER
COTTON-O’NEIL CLINIC-CARBONDALE
COTTON-O’NEIL CLINIC-CROCO
COTTON-O’NEIL CLINIC-GARFIELD
COTTON-O’NEIL CLINIC-LAWRENCE
COTTON-O’NEIL CLINIC-LEBO
COTTON-O’NEIL CLINIC-MERIDEN
COTTON-O’NEIL CLINIC-MULVANE
COTTON-O’NEIL CLINIC-NORTH
COTTON-O’NEIL CLINIC-OSAGE CITY
COTTON-O’NEIL CLINIC-URISH
COTTON-O’NEIL CLINIC-UROLOGY DEPARTMENT
COTTON-O’NEIL CLINIC-WAMEGO
COTTON-O’NEIL DERMATOLOGY
COTTON-O’NEIL DIABETES AND ENDOCRINOLOGY CENTER
COTTON-O’NEIL DIGESTIVE HEALTH CENTER
COTTON-O’NEIL EXPRESSCARE
JANE C. STORMONT WOMEN’S HEALTH CENTER
KANSAS ORTHOPEDIC AND SPORTS MEDICINE
MEDICAL ARTS CLINIC EMPORIA
PEDIATRICCARE
ROSSVILLE CLINIC
STORMONT-VAIL HEALTHCARE
STORMONT-VAIL REGIONAL HEALTH CENTER AND STORMONT-VAIL WEST
STORMONT-VAIL SINGLE DAY SURGERY
STORMONT-VAIL WORK CARE
STORMONT-VAIL WOUNDCARE CENTER

If you have questions about this Notice or are unsure whom you need to contact, call the HIPAA PRIVACY OFFICER AT STORMONT-VAIL HEALTHCARE (785) 354-6343.

WHAT IS YOUR HEALTH INFORMATION?

Each time you receive medical care from a health care system, physician or other health care provider, a record of your visit is made. Typically, this record contains a history of your illnesses or injuries, symptoms, exam and laboratory results, treatment provided and treatment plans, and notes on future care. Depending on your health care situation your record may contain more or different information. How your health information is used and when it may be disclosed is described on the following pages.

WHAT ARE THE RESPONSIBILITIES OF THIS HEALTH CARE SYSTEM WHEN IT COMES TO YOUR HEALTH INFORMATION?

This health care system is required by law to:

- Protect the privacy of your health information and disclose it as the law permits;
- Explain our legal duties and privacy practices;
- Follow the practices found in this notice;
- Tell you when we cannot to agree to a disclosure restriction that you asked us to make or accommodate a reasonable request to deliver your health information in a particular fashion or to a specific place.

We will not use or disclose your health information without your authorization, except as explained in this notice. Certain laws require that we disclose your health information without your authorization. We are obligated to follow those laws.

HOW WILL WE USE AND DISCLOSE YOUR HEALTH INFORMATION?

As described below, the System may use and disclose your health information without your authorization or permission under certain circumstances.

For Treatment: We may use your health information to provide you with medical treatment or services. We may disclose health information about you to doctors, nurses, technicians, pharmacists, medical students or other health care providers who are or may be involved in your treatment. **For example**, a doctor treating you for a broken bone may need to know if you have diabetes because diabetes may slow the healing process. In addition, the doctor may need to tell the dietitian if you have diabetes so that we can arrange for appropriate meals. Different departments of the health care system also may share health information about you in order to coordinate different services within and outside the health system such as other doctors, health care workers, pharmacists. We may also disclose your health information for the treatment activities of any other health care providers to promote continuity of care.

For Payment: We may use and disclose your health information so that the treatment and services you receive may be billed to and payment may be collected from you, an insurance company, a third party or other person. **For example**, we may need to give your health plan (health insurance company) information about surgery you received at the health care system so your health plan will pay us or reimburse you for the surgery. We may also tell your health plan about treatment you plan to receive in order to obtain prior approval or to determine whether your plan will cover the treatment. This may include filing statutory liens to collect amounts owed to us for your treatment, care and maintenance. We may also disclose your health care information to other health care providers or health plans in order for this other providers or plans to process its payment activities.

For Health Care Operations: We may use and disclose your health information for our health care system operations. These uses and disclosures are necessary to run the health care system. **For example,** we may use health information to review our services and to evaluate the performance of our staff in caring for you. We may also combine health information about many health care system patients to decide what additional services the health care system should offer, what services are not needed and whether certain new treatments are effective. We may also disclose information to doctors, nurses, technicians, medical students and other health care system personnel for review and learning purposes. We may also combine the health information we have with health information from other health care systems to compare how we are doing and see where we can make improvements in the care and services that we offer. Your health information may also become part of information that lets the System develop methods to improve health and reduce costs, to develop protocols and policies, to manage how care is provided to System patients, to train our workforce, to obtain accreditation, certification, licenses, credentials, for insurance, for audits, to comply with laws, to utilize legal services, to plan for our development, to conduct our business and to administer our business, and to resolve grievances.

Appointment Reminders: We may use and disclose your health information to contact you, a family member or friend involved in your health care as a reminder that you have an appointment for treatment or medical care at our facility. We may also leave a reminder on your answering machine/voice mail system unless you tell us not to.

Treatment Alternatives: We may use and disclose your health information to tell you about or recommend other possible treatment options or to let you know about treatments that may be of interest to you.

Health-Related Benefits and Services: We may use and disclose your health information to tell you about health-related benefits or services that may be of interest to you.

Fund-raising Activities: We may disclose your health information to a foundation related to our health care system so that the foundation may contact you. We only release contact information, such as your name, address, phone number and the dates you received treatment or services. If you do not want the health care system to contact you for fund-raising efforts, you must notify the Privacy Officer in writing.

Health Care System Directory: We may include certain limited information about you in the health care system directory while you are a patient at the hospital. This information may include your name, location in the health care system, your general condition (e.g., fair, stable, etc.) and your religious affiliation. This directory information, except for your religious affiliation may also be released to people who ask for you by name. Your religious affiliation may be given to a member of the clergy, such as a priest or rabbi, even if they don't ask for you by name. This is so your family, friends and clergy can visit you in the health care system and generally know how you are doing. If you do not want to be included in the health care system directory you must tell us by notifying the Privacy Officer.

Individuals Involved in Your Care or Payment for Your Care: We may release your health information to a family member, friend or other person who is involved in your medical care. We may also give information to others (i.e. insurance companies) who help pay for your care. We may also tell your family or friends your condition and that you are receiving care from our health care system. In addition, we may disclose health information about you to an entity

assisting in a disaster relief effort so that your family can be notified about your condition, status and location. The amount of information disclosed will depend on that person's particular involvement in your care.

Research: Under certain circumstances, we may use and disclose your health information for research purposes. For example, a research project may involve comparing the health and recovery of all patients who received one medication to those who received another, for the same condition. All research projects, however, are subject to a special approval process. This process evaluates a proposed research project and its use of health information, trying to balance the research needs with the patients' need for privacy of the health information. Before we disclose health information for research, the project will have been approved through this research approval process. However, we may disclose health information about you to people preparing to conduct a research project, for example, to help them look for patients with specific health needs. In these instances the health information they review does not leave the health care system.

As Required By Law: We will disclose your health information when required to do so by federal, state or local law. This may include reporting of communicable diseases, wounds, abuse, disease/trauma, health oversight matters and other public policy requirements.

To Avert a Serious Threat to Health or Safety: We may use and disclose your health information when it is necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person.

Organ and Tissue Donation: We may disclose your health information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation.

Military and Veterans: If you are a member of the armed forces, we may disclose your health information as required by military command authorities. If you are foreign military personnel, we may disclose your health information to the appropriate foreign military authority.

Workers Compensation. We may disclose your health information for workers' compensation or similar programs.

Public Health Activities: We may disclose your health information for public health activities. These activities generally include the following reporting and notifications: to prevent or control disease, injury or disability (e.g. disease or trauma registries); to report births and deaths; to report child abuse or neglect; to report reactions to medications or problems with products; to notify people of recalls of products they may be using; to notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition.

Health Oversight Activities: We may disclose your health information to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections and licensure. These activities are necessary for the government to monitor the health care system, government programs, licensing functions and compliance with civil rights laws.

Lawsuits and Disputes: If you are involved in a lawsuit or in a dispute, we may disclose your health information in response to a court or administrative order. We may also disclose your

health information in response to a subpoena, discovery request or other lawful process by someone else involved in a lawsuit.

Law Enforcement: We may release health information if asked to do so by a law enforcement official; in response to a court order, subpoena, warrant, summons or similar process; to identify or locate a suspect, fugitive, material witness, or missing person; if you are the victim of a crime; about a death we believe may be the result of criminal conduct; about criminal conduct at the health care system; in emergency circumstances to report a crime; the location of the crime or victims; or the identity, description or location of the person who committed the crime.

Coroners, Medical Examiners and Funeral Directors: We may release your health information to a coroner or medical examiner to identify a deceased person or determine the cause of death. We may also release health information about patients of the health care system to funeral directors as necessary to carry out their duties.

National Security and Intelligence Activities: We may release your health information to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.

Protective Services for the President and Others: We may disclose your health information to authorized federal officials so they may provide protection to the President, other authorized persons or foreign heads of state or conduct special investigations.

Inmates: If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may release your health information to the correctional institution or law enforcement official. This release would be necessary (1) for the institution to provide you with health care; (2) to protect your health and safety or the health and safety of others; or (3) for the safety and security of the correctional institution.

OTHER USES AND DISCLOSURES AND REVOKING PREVIOUS AUTHORIZATION TO USE OR DISCLOSE YOUR HEALTH INFORMATION

Other uses and disclosures of health information not covered by this notice or the laws that apply to us will be made only with your written authorization. If your written authorization has been given to us, you may revoke that authorization, in writing, at any time. To revoke an authorization you must do so in writing by notifying the Privacy Officer. If you revoke your authorization, we will no longer use or disclose your health information for the reasons covered by your written authorization, but we cannot take back any disclosures we have already made with your permission.

WHAT ARE YOUR HEALTH INFORMATION RIGHTS?

Although your health record is the physical property of the health system, the information belongs to you. You do not have the right to remove your original medical record from the property of the health care system. However, you DO have the right to:

Inspect and Obtain A Copy of Your Records. You have the right to inspect and obtain a copy of the designated record set which is information used to make decisions about your care. Usually, this includes medical and billing records, but does not include psychotherapy notes, information compiled in reasonable anticipation of, or for use in, a civil, criminal or administrative action or proceeding, information that is subject to special laws or other

information not contained in the medical or billing records. You must make a specific request to inspect your health information.

To request records from:

1. Stormont-Vail HealthCare
Stormont-Vail Regional Health Center
Stormont-Vail West – Inpatient Services
Stormont-Vail Single Day Surgery
2. Any other Stormont-Vail HealthCare Provider listed on the front page of this notice and Stormont-Vail West – Outpatient Services

Contact:

Medical Record

Release of Information
Stormont-Vail HealthCare
1500 SW Tenth Ave.
Topeka, KS 66604

Billing Record

Patient Financial Services
Stormont-Vail HealthCare
1500 SW Tenth Ave.
Topeka, KS 66604

Medical Record

Cotton-O'Neil Administration
Release of Information
823 SW Mulvane
Topeka, KS 66606

Billing Record

Business Office
Cotton-O'Neil Clinic
901 SW Garfield
Topeka, KS 66606

You may be charged a reasonable cost-based fee for copies of your record. We may deny your request to inspect and copy in certain very limited circumstances. Certain reasons for the denial are not reviewable and some are reviewable. If you are denied access to health information you will be told in writing. In certain circumstances, however, you may request that the denial be reviewed. If the original denial of access to the medical record was made by a licensed health care provider as allowed by law, another licensed professional chosen by the health care system will review your request and the denial. The person conducting the review will not be the person who denied your request. We will comply with the outcome of the review and you will be advised in writing of this reviewing official's decision.

Right to Amend Your Records: If you feel that health information we have about you is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by the health care system. To request an amendment, your request must be made in writing and submitted to the Privacy Officer. In addition, you must provide a reason that supports your request. We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that: was not created by this health care system, unless the person or entity that created the information is no longer available to make the amendment; is not part of the health information kept by or for the health care system; is not part of the information which you would be permitted to inspect and copy; or is accurate and complete.

Right to an Accounting of Disclosures: You have the right to request, in certain circumstances, an “accounting of disclosures.” An “accounting” is a list of some of the disclosures we made of your health information. To request this list or accounting of disclosures, you must submit your request in writing to the Privacy Officer. Your request must state a time period, which may not be longer than six years ago and may not include dates before April 14, 2003. Your request should indicate in what form you want the list (for example, on paper, electronically or some other form). We may charge you for the cost of providing the list. We will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any cost is incurred.

Right to Request Restrictions: You have the right to request a restriction on your health information disclosures for treatment, payment or health care operations. You also have the right to request a limit on the health information we disclose about you to someone who is involved in your care or the payment for your care, like a family member or friend. For example, you could ask that (1) we do not use or disclose information about a surgery you had or (2) that certain people not be told certain information. This request must be in writing to the Privacy Officer. We are not required to agree to your request. Only the Privacy Official can agree to your request. If we do agree, we will notify you in writing and comply with your request unless the information is needed to provide you emergency treatment. If we agree to a restriction we may terminate any restriction if you agree to the termination or if we inform you that we are terminating our agreement to the restriction. You may also terminate any restriction. To request restrictions or limitations, you must notify the Privacy Officer. In your request, you must tell us (1) what information you want to limit; (2) whether you want to limit our use, disclosure or both; and (3) to whom you want the limits to apply, for example, disclosures to your spouse.

Right to Request Confidential Communications: You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. For example, you can ask that we only contact you at work or by mail. To request confidential communications, you must make your request in writing to the Privacy Officer. We will not ask you the reason for your request. We may ask for clarification so we can understand your request. You are not required to give an explanation. We will try to accommodate reasonable requests. Your request must specify how or where you wish to be contacted.

Right to a Paper Copy of This Notice: You have the right to a paper copy of this notice. You may ask us to give you a copy of this notice at any time. Even if you have agreed to receive this notice electronically, you are still entitled to a paper copy of this notice. To obtain a paper copy of this notice you may contact the Privacy Officer or you may also obtain a copy of this notice at our Web site, www.stormontvail.org.

**WHAT SHOULD YOU DO IF YOU HAVE A COMPLAINT CONCERNING YOUR
MEDICAL RECORDS?**

YOU WILL NOT BE PENALIZED FOR FILING A COMPLAINT

If you believe your privacy rights have been violated, you may file a written complaint with the Privacy Officer who is listed on this notice or with the Secretary of the Department of Health and Human Services at U.S. Department of Health & Human Services-Office of Civil Rights, 601 East 12th Street - Room 248, Kansas City, MO 64106, (816) 426-7278; (816) 426-7065 (TDD) (816) 426-3686.

IF CHANGES ARE MADE TO THIS NOTICE

We reserve the right to change this notice and to make the revised or changed notice effective for health information we already have about you as well as any information we receive in the future. We will post a copy of the current notice in each facility at the health care system. You will find the date the notice became effective at the top of the first page below the title. In addition, each time you register at or are admitted to any facility of the health care system for treatment or health care services, a copy of the current notice in effect will be given to you if you request

**IF YOU NEED ASSISTANCE, WISH TO EXERCISE YOUR PRIVACY RIGHT OR
HAVE QUESTIONS ABOUT THIS NOTICE CONTACT THE PRIVACY OFFICER**
STORMONT-VAIL HEALTHCARE HIPAA PRIVACY OFFICE

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Topeka, KS 66604
Phone: (785) 354-6343**