

NOTICE OF PRIVACY PRACTICES STORMONT-VAIL HEALTHCARE

This Notice of Privacy Practices is effective April 14, 2003.

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.

UNDERSTANDING YOUR MEDICAL INFORMATION – ITS USES AND DISCLOSURES

Certain laws require that you be provided notice of our privacy practices that relate to your medical information. Our privacy practices are contained within this “Notice.” This “Notice” applies to the protected health records of your care provided by the Stormont-Vail HealthCare system which includes Stormont-Vail Regional Health Center, Stormont-Vail *West*, Topeka Single Day Surgery, the Jane C. Stormont Women’s Health Center and/or clinics to include the Cotton-O’Neil Clinic and PediatricCare (hereafter referred to as “health care system”) and its employees, staff and volunteers. 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.

CONTACT PERSON(S) IF YOU HAVE QUESTIONS

If you have questions about this notice or *our* privacy practices relating to your health information, please contact the following person:

HIPAA Patient Representative
1500 S.W. 10th Ave.
Topeka, KS 66604
Phone: (785) 354-6277

Stormont-Vail Hospital and Stormont-Vail *West*: If you would like to inspect and/or obtain a copy of your health information from the hospital, or Stormont Vail *West*, contact the following office (copy charges may apply):

Health Information Management
Release of Information
1500 S.W. 10th Ave.
Topeka, KS 66604
Phone: (785) 354-6816 Fax: (785) 354-5119

Stormont-Vail Radiology Films: If you would like to inspect and/or obtain a copy of your radiology films from the Stormont-Vail Radiology Department, contact the following office (copy charges may apply):

Stormont-Vail HealthCare
Radiology Department
1500 S.W. 10th Ave.
Topeka, KS 66604
Phone: (785) 354-6171

Topeka Single Day Surgery: If you would like to inspect and/or obtain a copy of your health information from TSDS, contact the following office (copy charges may apply):

Topeka Single Day Surgery
Release of Information
823 S.W. Mulvane St.
Topeka, KS 66606
Phone: (785) 354-8737 Fax: (785) 354-1440

Cotton-O'Neil Clinic Medical Records and Radiology Films: If you would like to inspect and/or obtain a copy of your health information from Cotton-O'Neil Clinic, contact the following office (copy charges may apply):

Cotton-O'Neil Clinics
Administration
901 S.W. Garfield St
Topeka, KS 66606
Phone: (785) 354-9591 Fax: (785) 354-4268

PediatricCare: If you would like to inspect and/or obtain a copy of your health information from PediatricCare, contact the following office (copy charges may apply):

PediatricCare
Administration
4100 S.W. 15th St.
Topeka, KS 66604
Phone: (785) 273-8224

Home Health: If you would like to inspect and/or obtain a copy of your health information from Stormont-Vail Home Health contact the following office – (Copy charges may apply):

Stormont-Vail Home Health
Information Request
833 Garfield Ave
Topeka, KS 66604
Phone: 785.354.4300 Fax: 785.354.1058

Hospice: If you would like to inspect and/or obtain a copy of your health information from Stormont-Vail Hospice contact the following office – (Copy charges may apply):

Stormont-Vail Hospice
Information Request
2252 SW 10th St
Topeka, KS 66606
Phone: 785.354.4911 Fax: 785.354.1059

Jane C. Stormont Women's Health Center: If you would like to inspect and/or obtain a copy of your health information from the Jane C. Stormont Women's Health Center, contact the following office (copy charges may apply):

Jane C. Stormont Women's Health Center
Administration
823 S.W. Mulvane
Topeka, KS 66606
Phone: (785) 354-5960 Fax: (785) 354-5963

If you are unsure whom you need to contact, contact the HIPAA Patient Representative at (785) 354-6277.

This “Notice” contains information in the following general categories:

- **What is your health record/information?**
- **What are the responsibilities of this health care system when it comes to your health information?**
- **What are your health information rights?**
- **What are the responsibilities of this health care system when it comes to your health information?**
- **How will we use and disclose your medical information?**
- **Other uses and disclosures – Revoking Previous Permission to Use or Disclose Your Health Information.**
- **What should you do if you have a complaint concerning your medical records?**
- **If changes are made to this “Notice” – how to obtain a revised copy.**

WHAT IS YOUR HEALTH RECORD / 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 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:

- Keep your protected health information private and only disclose it when required to do so by law;
- Explain our legal duties and privacy practices in connection with your health records;
- Obey the rules found in this notice;
- Inform you when we are unable to agree to a requested restriction that you have given us;
- Accommodate your reasonable request for an alternative means of delivery or destination when sending your health information.

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

WHAT ARE YOUR HEALTH INFORMATION RIGHTS?

Although your health record is the physical property of the health care practitioner or facility that compiled it, 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. An original medical record will be removed from the property of the health care system only if we receive a court order or other legal document requiring us to do so. 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 certain health information that may be 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.

Hospital Medical Records and Stormont-Vail West: To inspect and obtain a copy of your health information you must submit your request in writing to the Contact Person listed on Page 1. If you request a copy of the information, we may charge you a fee to reproduce your records. This fee is \$15 for labor and supplies plus 50 cents per page for the first 250 pages, 35 cents per page for pages 251 and above. If you need copies of your medical records so that you may seek

medical treatment from another provider or treatment facility, we will send your copies directly to the provider or treatment facility at no charge to you. You will need to provide us with the name, address and phone number of the provider who needs to receive the records.

Stormont-Vail Radiology Department: To inspect and obtain a copy of your health information you must submit your request in writing to the Contact Person listed on Page 1. If you request a copy of the information, we may charge you a fee to reproduce your films. This fee is \$20 for the first film plus \$5 for each additional film. If you need copies of your medical records so that you may seek medical treatment from another provider or treatment facility, we will send your copies directly to the provider or treatment facility at no charge to you. You will need to provide us with the name, address and phone number of the provider who needs to receive the records.

Topeka Single Day Surgery: To inspect and obtain a copy of your health information you must submit your request in writing to the Contact Person listed on Page 2. If you request a copy of the information, we may charge you a fee to reproduce your records. This fee is \$15 for labor and supplies plus 50 cents per page for the first 250 pages, 35 cents per page for pages 251 and above. If you need copies of your medical records so that you may seek medical treatment from another provider or treatment facility, we will send your copies directly to the provider or treatment facility at no charge to you. You will need to provide us with the name, address and phone number of the provider who needs to receive the records.

Cotton-O'Neil Medical Records and Radiology Films: To inspect and obtain a copy of your health information you must submit your request in writing to the Contact Person listed on Page 2. If you request a copy of the information, we may charge you a fee to reproduce your records. The fee for medical records is \$15 for labor and supplies plus 50 cents per page for the first 250 pages, 35 cents per page for pages 251 and above. The fee for radiology films is \$20 for the first film and \$5 for each additional film. If you wish to see another physician, provider or to seek treatment at another treatment facility and you do NOT have a referral from a Cotton-O'Neil physician you will be charged a fee for copies, as described above. If you receive a referral from one of our physicians and need copies of your medical records so that you may seek medical treatment from another provider or treatment facility, we will send your copies directly to the provider or treatment facility at no charge to you. You will need to provide us with the name, address and phone number of the provider who needs to receive the records.

PediatricCare Medical Records: To inspect and obtain a copy of your health information you must submit your request in writing to the Contact Person listed on Page 2. If you request a copy of the information, we may charge you a fee to reproduce your records. The fee for medical records is \$15 for labor and supplies plus 50 cents per page for the first 250 pages, 35 cents per page for pages 251 and above. The fee for radiology films is \$20 for the first film and \$5 for each additional film. If you wish to see another physician, provider or to seek treatment at another treatment facility and you do NOT have a referral from a PediatricCare physician you will be charged a fee for copies, as described above. If you receive a referral from one of our physicians and need copies of your medical records so that you may seek medical treatment from another provider or treatment facility, we will send your copies directly to the provider or treatment facility at no charge to you. You will need to provide us with the name, address and phone number of the provider who needs to receive the records.

Stormont-Vail Home Health and Hospice Records: To inspect and obtain a copy of your health information you must submit your request in writing to the Contact Person listed on page 2. If you request a copy of the information, we may charge you a fee to reproduce your records. This fee is \$15.00 for labor & supplies plus \$.50 per page for the first 250 pages, \$.35 per page for pages 251 and above. If you need copies of your medical records so that you may seek medical treatment from another provider or treatment facility, we will send your copies directly to the provider or treatment facility at no charge to you. You will need to provide us with the name, address and phone number of the provider who needs to receive the records.

Jane C. Stormont Women's Health Center: To inspect and obtain a copy of your health information you must submit your request in writing to the Contact Person listed on Page 2. If you

request a copy of the information, we may charge you a fee to reproduce your records. The fee for medical records is \$15 for labor and supplies plus 50 cents per page for the first 250 pages, 35 cents per page for pages 251 and above. The fee for radiology films is \$20 for the first film and \$5 for each additional film.

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. 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/change the information. You have the right to request an amendment for as long as the information is kept by or for the health care system. To request an amendment, your request must be made in writing and submitted to the health care system's Contact Person listed on Page 1. 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 the disclosures we made of health information about you.

To request this list or accounting of disclosures, you must submit your request in writing to the health care system's Contact Person listed on Page 1. Your request must state a time period, which may not be longer than six years 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 the health information we use or disclose about you 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 not use or disclose information about a surgery you had or (2) that certain people not be told of certain information.

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.

How to make a request. To request restrictions or limitations, you must make your request in writing to the Contact Person. 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 Contact Person listed on Page 1. 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 accommodate all 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 health care system's Contact Person listed on Page 1. You may also obtain a copy of this notice at our Web site, www.stormontvail.org.

HOW WILL WE USE AND DISCLOSE YOUR HEALTH INFORMATION?

- **For Treatment.** We may use health information about you to provide you with medical treatment or services. We may disclose health information about you to doctors, nurses, technicians, medical students or other health care system staff or personnel who are involved in taking care of you. **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 the different information about you to people outside the health care system who may be involved in your medical care while you are in the health care system or after you leave the health care system, such as other doctors, health care workers, family members, clergy or others we use to provide services that are part of your care. We may also disclose your health information for the treatment activities of any other health care provider to include subsequent providers involved in your care once you leave the health care system.
- **For Payment.** We may use and disclose health information about you so that the treatment and services you receive may be billed to and payment may be collected from you, an insurance company or a third party. **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 a treatment you are going 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 provider or plan to process its payment activities.
- **For Health Care Operations.** We may use and disclose health information about you for our health care system operations. These uses and disclosures are necessary to run the health care system and make sure that all of our patients receive quality care. **For example**, we may use health information to review our treatment and 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. We may remove information that identifies you from this set of health information so others may use it to study health care delivery

without learning who the specific patients are. Examples are cancer and trauma registries.

Additional uses and disclosures for “health care operations” include:

- Activities relating to improving health or reducing health care costs;
 - Protocol development;
 - Care management;
 - Training, accreditation, certification, licensing, credentialing or other related activities;
 - Underwriting and other insurance related functions;
 - Medical review and auditing functions, including fraud and abuse detection and compliance programs;
 - Conducting or arranging for legal services for the health care system, its staff or personnel;
 - Business planning and development, business management and general administrative activities;
 - Internal grievance resolution.
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- **Appointment Reminders.** We may use and disclose 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 Alternative.** We may use and disclose health information to tell you about or recommend possible treatment options or alternatives that may be of interest to you.
 - **Health-Related Benefits and Services.** We may use and disclose health information to tell you about health-related benefits or services that may be of interest to you.
 - **Fund-raising Activities.** We may disclose health information to a foundation related to the health care system so that the foundation may contact you. We only would release contact information, such as your name, address, phone number and the dates you received treatment or services at the health care system. If you do not want the health care system to contact you for fund-raising efforts, you must notify the Contact Person 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 Contact Person’s designee.
 - **Individuals Involved in Your Care or Payment for Your Care.** We may release health information about you to a friend or family member 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. If you want this information restricted you must tell us by using the required procedure.
 - **Research.** Under certain circumstances, we may use and disclose health information about you 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 health information about you when required to do so by federal, state or local law. This may include reporting of communicable diseases, wounds, abuse, disease/trauma registries, health oversight matters and other public policy requirements. We may be required to report this information without your permission.
- **To Avert a Serious Threat to Health or Safety.** We may use and disclose health information about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat.

SPECIAL SITUATIONS (Sharing of information without your permission)

- **Organ and Tissue Donation.** If you are an organ donor, we may release 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 release health information about you as required by military command authorities. We may also release health information about foreign military personnel to the appropriate foreign military authority.
- **Workers' Compensation.** We may release health information about you for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.
- **Public Health Activities.** We may disclose health information about you without your permission for public health activities. These activities generally include the following:
 - 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;
 - To notify the appropriate government authority if we believe a patient has been the victim of abuse, neglect or domestic violence. We will only make this disclosure if you agree or when required or authorized by law.
- **Health Oversight Activities.** We may disclose health information without your permission 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 health information about you in response to a court or administrative order. We may also disclose health information about you in response to a court or administrative order even if you are not involved in the lawsuit or dispute. We may also disclose health information about you in response to a subpoena, discovery request or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested or as otherwise permitted by law.

- **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;
 - About the victim of a crime if, under certain limited circumstances, we are unable to obtain the person's agreement;
 - 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 health information to a coroner or medical examiner. This may be necessary, for example, 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 health information about you 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 health information about you 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 health information about you 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 - REVOKING PREVIOUS PERMISSION 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 permission. For certain disclosures of your information you must complete an "authorization" form and submit it to us. If you provide us permission to use or disclose health information about you, you may revoke that permission, in writing, at any time. To revoke any permission already given to us or permission given to us in the future you must revoke that permission in writing by sending it to the Contact Person listed on Page 1. If you revoke your permission, we will no longer use or disclose health information about you for the reasons covered by your written authorization. You understand that we are unable to take back any disclosures we have already made with your permission, and that we are required to retain our records of the care that we provided to you.

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

If you believe your privacy rights have been violated, you may file a complaint with the health care system or with the Secretary of the Department of Health and Human Services. To file a complaint with the health care system or to receive additional information as to how to file a complaint with the Department of Health and Human Service, contact the Contact Person listed on Page 1. All complaints must be submitted in writing.

YOU WILL NOT BE PENALIZED FOR FILING A COMPLAINT.

IF CHANGES ARE MADE TO THIS NOTICE

We reserve the right to change this notice. We reserve the right 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 it.