



Notice of Privacy Practices

This notice describes how OrthoArizona may use and disclose patients' healthcare information and how a patient can obtain access to this information. Please review it carefully.

OrthoArizona is required to provide patients with notice of its legal duties and privacy practices with respect to patients' protected health information. "Protected Health Information (PHI)" is information, including demographic information, which relates to: the patient's past, present, or future physical or mental health or condition; the provision of health care to the patient; or the past, present, or future payment for the provision of health care to the patient, and that identifies the patient or for which there is a reasonable basis to believe can be used to identify the patient. Protected health information includes many common identifiers (e.g., name, address, birth date, Social Security Number) when they can be associated with the health information listed above.

USES AND DISCLOSURES OF PROTECTED HEALTH INFORMATION

OrthoArizona may use and disclose protected health information without the patient's written consent or authorization for certain treatment, payment, healthcare operations or other uses required by law. There are certain restrictions on uses and disclosures of treatment records which include registration and all other records concerning patients who are receiving or who may have received services related to mental illness, developmental disabilities, alcoholism, drug dependence or HIV.

TREATMENT

OrthoArizona will use and disclose protected health information internally and with other healthcare entities to provide, coordinate, refer or manage the patient's health care and any related services.

PAYMENT

Protected health information will be used, as needed, to obtain payment for the patient's health care services. Payment activities may include contacting the patient's insurance company for benefits eligibility, health insurance coverage, payment, medical necessity of services or procedures, appropriateness of care or justification of charges as well as managing claims or collection activities to obtain payment for services provided to the patient.

HEALTHCARE OPERATIONS

OrthoArizona may use or disclose, as needed, protected health information to support their business activities. These activities include but are not limited to: contacting healthcare providers and patients with information about treatment alternatives, quality assessments, improvement activities, outcomes evaluation, development of clinical guidelines, protocol development, case management, care coordination, conducting or arranging for medical review, legal services, auditing functions, or training medical students.

OrthoArizona may contact patients by telephone, e-mail, text, or mail unless otherwise notified by the patient.

OrthoArizona may not disclose protected health information to family members or friends who may be involved with the patient's treatment or care without the patient's written permission. Health information may be released without written permission to a parent, guardian, legal custodian of a child, guardian of an incompetent adult, the designated healthcare agent of an incapacitated patient, power of attorney, or personal representative or spouse of a deceased patient.

OrthoArizona may use or disclose protected health information without consent or authorization as permitted for:

Health oversight activities: OrthoArizona may disclose healthcare records, including treatment records, in response to a written request by any federal or state governmental agency to perform legally authorized functions, such as: management audits, financial audits, program monitoring and evaluation, and facility or individual licensure or certification. HIV test results may not be released to federal or state governmental agencies without written permission, except to the state epidemiologist for surveillance, investigation, or to control communicable diseases.

Judicial and administrative proceedings: Patient healthcare records, including treatment records and HIV test results, may be disclosed pursuant to a lawful court order. A subpoena signed by a judge is sufficient to permit disclosure of all healthcare records except for HIV test results.

For activities related to death: OrthoArizona may disclose patient healthcare records, except for treatment records, to a coroner or medical examiner for completing a medical certificate or investigating a death. HIV test results may be disclosed under certain circumstances.

For research: Under certain circumstances, and only after a special approval process, OrthoArizona may use and disclose a patient's health information to help conduct research.

To avoid a serious threat to health or safety: OrthoArizona may report a patient's name and other relevant data to the Department of Transportation if it is believed the patient's vision or physical or mental condition affects the patient's ability to exercise reasonable or ordinary control over a motor vehicle. Healthcare information, including treatment records and HIV test results, may be disclosed where disclosure is necessary to protect the patient or community from imminent and substantial danger.

For worker's compensation: OrthoArizona may disclose patient's health information to the extent such records are reasonably related to any injury for which worker's compensation is claimed.



USES AND DISCLOSURES THAT REQUIRE PATIENTS' PROTECTED AUTHORIZATION

Other permitted and required uses and disclosures will be made only with patient consent, authorization, or opportunity to object unless required by law. Without patient authorization, OrthoArizona is expressly prohibited to use, sell or disclose patients' protected health information for marketing and no patient genetic information will be disclosed for underwriting purposes. Patients may revoke the authorization at any time in writing. OrthoArizona is not responsible for action taken between when the authorization was received to when the revocation received.

PATIENTS' RIGHTS REGARDING PROTECTED HEALTH INFORMATION

- Patients are permitted, in writing, to request restrictions on certain uses or disclosures of patients' protected health information by OrthoArizona to carry out treatment, payment, or healthcare operation. OrthoArizona is not required to agree to restriction requests. Agreed upon restrictions will be adhered to except when patients' protected health information is needed in an emergency treatment situation, at which time, information may be disclosed only to healthcare providers treating the patient. Restrictions also do not apply when OrthoArizona is required by law to disclose certain healthcare information.
- Patients have the right to review and/or obtain a copy of their healthcare records, except for the following: psychotherapy notes, information compiled for use (or in anticipation of use) in a civil, criminal, or administrative action or proceeding; protected health information restricted by law, medical research in which the patient agreed to participate; information that may harm or injury the patient or other people; or information that was obtained under the promise of confidentiality. OrthoArizona may deny access under other circumstances, in which case, the patient has the right to have such a denial reviewed. OrthoArizona may charge a reasonable fee for copying patient records.
- Patients may request, in writing, OrthoArizona send protected health information, including billing information, to the patient by alternative means or to alternative locations. Patients may also request, in writing, OrthoArizona not send information to a particular address or location or contact them at a specific location (i.e. patient's place of employment). OrthoArizona will accommodate reasonable requests by patients.
- Patients may request that any part of their protected health information not be disclosed to family members or friends who may be involved in their care or for notification purposes as described in this notice of Privacy Practices. Patient requests must state the specific restriction requested and to whom they want the restriction to apply. The patient's physician is not required to agree to the requested restriction except if the patient requested the physician not disclose protected health information to the patient's health plan with respect to healthcare for which the patient paid for out-of-pocket in full.
- Patients have the right to obtain a paper copy of this notice from OrthoArizona, even if the patient agreed to accept this notice alternatively (i.e. electronically).
- Patients have the right to request an amendment to their protected health information. If OrthoArizona deny a patient's request for an amendment, the patient has the right to file a statement of disagreement and OrthoArizona may prepare a rebuttal to the patient's statement and will provide the patient a copy of any such rebuttal.
- Patients have the right to receive accounting of disclosures, paper or electronic, of their protected health information made by OrthoArizona for the six years prior to the date of the request. OrthoArizona is not required to record disclosures pursuant to a signed consent or authorization.
- OrthoArizona will notify patients if their protected health information has been breached.

OrthoArizona reserves the right to change this notice at any time and will provide the most-up-to-date version for patients to review at any time.

COMPLAINTS

Any person or patient may file a complaint with OrthoArizona and/or the Secretary of Health and Human Services if they believe their privacy rights have been violated. To file a complaint with OrthoArizona, please contact our HIPAA Compliance Officer:

Jennifer Doyle

602-772-3799

jdoyle@orthoarizona.org

NO retaliatory action will be made by OrthoArizona against any individual who submits or conveys a complaint of suspected or actual non-compliance or violation of the privacy standards.

This Notice is prepared in accordance with the Health Insurance Portability and Accountability Act, 45 C.F.R. 164.520.

This Notice of Privacy Practices is effective April 15, 2018.