

SURGERY CENTER PATIENT NOTIFICATION

Effective Date: April 14, 2003
Reviewed, Revised: Nov 9, 2007, Nov 21, 2012; July 8, 2013
Aug 20, 2013; January 8, 2014; November 29, 2016

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. If you have any questions about this notice, please contact Beckie Hines, BSN, RN, Surgery Center Director. (651) 261-1717

WHO WILL FOLLOW THIS NOTICE

This notice describes our surgery centers' practices and that of:

- » Any health care professional authorized to enter information into your medical record at the surgery center.
- » All departments and units of the center.
- » Any member of a volunteer group we allow to help you while you are in the surgery center.
- » All employees, staff of Summit Orthopedics, Ltd, & affiliates.

OUR PLEDGE REGARDING MEDICAL INFORMATION

We understand that medical information about you and your health is personal. We are committed to protecting medical information about you. We create a record of the care and services you receive at the surgery center. We need this record to provide you with quality care and to comply with certain legal requirements. This notice applies to all of the records of your care generated by the surgery center, whether made by center personnel or your personal doctor. Your personal doctor may have different policies and notices regarding the doctor's use and disclosure of your medical information created in the doctor's office or clinic.

This notice will tell you about the ways in which we may use and disclose medical information about you. We also describe your rights and certain obligations we have regarding the use and disclosure of medical information.

We are required by law to:

- » Makes sure that medical information that identifies you is kept private.
- » Give you this notice of our legal duties and privacy practices with respect to medical information about you.
- » Follow the terms of the notice that is currently in effect.
- » *Appointment Reminders*—We may use and disclose medical information to contact you as a reminder that you have an appointment for treatment or medical care at the surgery center.
- » *Treatment Alternatives*—We may use and disclose medical 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 medical information to tell you about health-related benefits or services that may be of interest to you.
- » *Individuals Involved in Your Care or Payment for Your Care*—We may release medical information about you to a friend or family member who is involved in your medical care. We may also give information to someone who helps pay for your care. We may also tell your family or friends your condition and that you are in the surgery center. In addition, we may disclose medical 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.
- » *Research*—Under certain circumstances, we may use and disclose medical 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 medical information, trying to balance the research needs with patients' need for privacy of their medical information. Before we use or disclose medical information for research, the project will have been approved through a research approval process, but we may, however, disclose medical information about you to people preparing to conduct a research project, for example, to help them look for patients with specific medical needs, so long as the medical information they review does not leave the surgery center. We will almost always ask for your specific permission if the researcher will have access to your name, address or other information that reveals who you are, or will be involved in your care at the surgery center.
- » *As Required by Law*—We will disclose medical information about you when required to do so by federal, state, or local law.
- » *To Avert a Serious Threat to Health or Safety*—We may use and disclose medical 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

- » *Organ and Tissue Donation*—If you are an organ donor, we may release medical 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 medical information about you as required by military command authorities. We may also release medical information about foreign military personnel to the appropriate foreign military authorities.
- » *Workers Compensation*—We may release medical information about your for workers' compensation or similar programs. These programs provide benefits for work-related injury or illness.

- » 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 medical 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, and compliance with civil rights laws.

Right to Accounting of Disclosures: You have the right to request an "accounting of disclosures". This is a list of disclosure of medical information about you. To request this list or accounting of disclosures, you must submit your request in writing to the surgery center director. Your request must state a time period which may not be longer than six years, and may not include dates before February 26, 2003. Your request should indicate in what form you want the list (paper, electronic). The first list you request within a 12 month period will be free. For additional lists, we may charge you for the costs 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 costs are incurred.

Right to Request Restrictions: You have the right to request a restriction or limitation on the medical 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 medical 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 we not use or disclose information about the surgery that you had.

We are not required to agree to your request. If we do agree, we will comply with your request unless the information is needed to provide you with emergency treatment. To request restrictions, you must make your request in writing to the surgery center director.

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 surgery center director. We will not ask you the reason for your request. 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. You may obtain a copy of this notice at the surgery center.

CHANGES TO THIS NOTICE

We reserve the right to change this notice. We reserve the right to make the revised or changed notice effective for medical 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 the surgery center. The notice will contain the effective date. In addition, each time you register at or are admitted to the surgery center for treatment or health care services as an outpatient, we will offer you a copy of the current notice in effect.

HOW WE MAY USE AND DISCLOSE MEDICAL INFORMATION ABOUT YOU

The following categories describe different ways that we use and disclose medical information. For each category of uses or disclosures we will explain what we mean and try to give some examples. However all of the ways we are permitted to use and disclose information will fall within one of the categories.

- » *For Treatment*—We may use medical information about you to provide you with medical treatment or services. We may disclose medical information about you to doctors, nurses, technicians, medical students, or other center personnel who are involved in taking care of you at the center. For example, a doctor treating you for a broken leg may need to know if you have diabetes, because diabetes may slow the healing process. In addition, the doctor may need to tell the nurse if you have diabetes so that we can arrange for appropriate snacks. Different departments of the center also may share medical information about you in order to coordinate the different things you need, such as prescriptions, lab work, and x-rays. We also may disclose medical information about you to people outside the facility who may be involved in your medical care after you leave the center, such as family members, or others we use to provide services that are a part of your care. If you have received an implanted medical device, we will share information about you and the procedure performed with the manufacturer of that device so that they may readily contact you should there be a reason to recall or modify the device.
- » *For Payment*—We may use and disclose medical information about you so that the treatment and services you receive at the surgery center 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 information about surgery you received so that 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 to obtain prior approval or to determine whether your plan will cover the expense of the procedure.

- » For Health Care Operations—We may use and disclose medical information about you for surgery center operations. These uses and disclosures are necessary to run the center and make sure that all of our patients receive quality care. For example, we may use medical information to review our treatment and services to decide what additional services the center should offer. We may also disclose information to doctors, nurses, PA-Cs, students and other surgery center personnel for review and learning purposes. We may also combine the medical information we have with medical information from others so that others may study health care and health care delivery. These records will be de-identified as possible.

Lawsuit and Dispute: If you are involved in a lawsuit or a dispute, we may disclose medical information about you in response to a court or administrative order. We may also disclose medical 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.

Law Enforcement: We may release medical 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 surgery center.
- » 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 medical 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 medical information about patients of the surgery center to funeral directors as necessary to carry out their duties.

National Security and Intelligence Activities: We may release medical 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 medical 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 medical 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 of others, (3) for the safety and security of the correctional institution.

Your Rights Regarding Medical Information About You: You have the following rights regarding medical information we maintain about you:

- » **Right to inspect and copy:** You have the right to inspect and copy medical information that may be used to make decisions about your care. Usually, this includes medical and billing records, but does not include psychotherapy notes. To inspect and copy medical information about you, contact the surgery center director. If you request a copy of the information, we may charge a fee for the costs of copying, mailing or other supplies associated with your request. We may deny your request to inspect and copy in certain very limited circumstances. If you are denied access to medical information, you may request that the denial be reviewed. Another licensed healthcare professional, chosen by the surgery center 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.
- » **Right to Amend:** If you feel that medical 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 or for the facility. To request an amendment, your request must be made in writing and submitted to the surgery center director. In addition, you must submit a reason for your request. We may deny your request for 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:
 - a. Was not created by us, unless the person or entity that created the information is no longer available to make the amendment
 - b. Is not part of the medical information kept by or for the surgery center.
 - c. Is not part of the information which you would be permitted to inspect and copy, or
 - d. Is accurate and complete.

COMPLAINTS

If you believe your privacy rights have been violated, you may file a complaint with the center or with the Secretary of the Department of Health and Human Services. To file a complaint with the surgery center, contact the surgery center director at (651) 261-1717. All complaints must be submitted in writing.

Revocation: You may at any time revoke permissions to release or disclose your medical information. You must make the request in writing to the surgery center director. If you make a revocation, realize we will not be able to retrieve and information already released on your behalf.