



## NOTICE OF PRIVACY PRACTICES

*As required by the Health Insurance Portability and Accountability Act (HIPAA) of 1996*

**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.**

### **WHO WILL FOLLOW THIS NOTICE**

SJFC Health and Wellness Center may use your health information for treatment, payment, healthcare operations or research purposes as described in this notice. All of the employees, staff, including medical staff, and other personnel of SJFC Health and Wellness Center follow these privacy practices.

### **OUR PLEDGE REGARDING YOUR MEDICAL INFORMATION**

We are required by law to:

- Make 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; and
- Follow the terms of this Notice.

### **HOW WE MAY USE AND DISCLOSE MEDICAL INFORMATION ABOUT YOU**

The following categories describe different ways that we may use and disclose your medical information:

1. **Treatment.** We may use your medical information to provide you with medical treatment or services. We may disclose your medical information to others who are involved in taking care of you. For example, a doctor treating you may need to share your medical information (such as x-rays, lab work, prescriptions) with another person to coordinate your care.
2. **Payment.** We may use and disclose medical information so that services can be billed. For example, we may need to give information to your health plan about services you received so your health plan can pay us. We may also tell your health plan about a planned treatment to determine whether your plan will cover the treatment.
3. **Health Care Operations.** We may use and disclose medical information about you for health system operations. For example, we may use your information to review our treatment and services, to assess the care and services we offer and to educate health care professionals or trainees.
4. **Business Associates.** We may disclose your health information to contractors, agents and other associates who need information to assist us in carrying out our business operations. Our contracts with them require that they protect the privacy of your health information.
5. **Appointment Reminders.** In the course of providing treatment to you, we may use your health information to contact you (e.g.: by phone, email or postcard) with a reminder that you have an appointment for treatment or services.
6. **Health-related Benefits and Treatment Alternatives.** We may use and disclose medical information to tell you about or recommend health-related benefits, services or treatment alternatives that may be of interest to you.
7. **Fundraising Activities.** We may use information about you to contact you in an effort to raise money for one or more of our facilities. We may also disclose information to a related foundation so they may contact you for fundraising. We may use or disclose demographic and contact information (such as your name, address, phone, gender), the date and department of service (such as cardiology or pediatrics), and your treating physician. Any fundraising communications you receive will include information on how to elect not to receive further fundraising contacts, or you may call 1-800-598-1330 at any time to opt out of fundraising communications.
8. **Individuals Involved in Your Care or Payment for Your Care.** We may release information about you to any person identified by you. The information disclosed will be related to their involvement with your care or to payment for your care. If you do not wish us to share this information with your family and friends, please follow the procedures described in the right to request restrictions section of this notice. During a disaster (e.g., a flood), medical information may be disclosed to an authorized public or private entity authorized by law or its charter to assist with relief efforts (such as the Red Cross).
9. **Research.** We may use and disclose medical information about you for research purposes. In most cases we will ask for your written authorization. However, under some circumstances we may use and disclose your health information without your written authorization if doing so poses minimal risk to your privacy. We may also release your medical information without your written authorization to people who are preparing a research project, so long as any information identifying you does not leave our facility. The researchers may use this information to contact you to ask if you want to participate in such research.
10. **Incidental Disclosures.** Disclosures of your information may occur during or as an unavoidable result of otherwise permissible uses or disclosures of your health information. For example, during the course of your treatment, other patients in the area may see or overhear discussion of your health information despite using reasonable safeguards.
11. **Personal Representatives.** We may disclose your health information to your personal representative who has authority to act on your behalf under applicable law.
12. **Marketing.** We may use your information for certain limited marketing purposes, such as face-to-face communication. For other marketing activities we will obtain your authorization.

## **IN SPECIAL SITUATIONS**

1. **As Required by Law.** We may disclose medical information about you without your authorization when required to do so by federal, state or local law.
2. **Victims of Abuse or Neglect.** We may release your health information to a public health authority authorized to receive reports of abuse or neglect.
3. **Workers' Compensation.** We may release medical information about you to programs that provide benefits for work-related injury or illness.
4. **Public Health Purposes.** We may disclose medical information about you for public health activities related to prevention or control of disease, injury or disability. For example, we report certain communicable diseases to the Department of Health.
5. **Health Oversight Activities.** We may disclose your medical information to health oversight organizations authorized to conduct audits, investigations, and inspections of our facilities.
6. **Lawsuits and Disputes.** If you are involved in a lawsuit or a dispute, we may disclose your medical information in response to a court or administrative order, subpoena or other lawful process.
7. **Law Enforcement.** We may release health information for law enforcement purposes in limited circumstances.
8. **To Avert a Serious and Imminent Threat to Health or Safety.** We may use your health information or share it with others when necessary to prevent a serious and imminent threat to your health or safety, or the health or safety of another person or the public.
9. **Organ and Tissue Donation.** We may release medical information to organizations that handle organ, eye or tissue donation and transplantation.
10. **Coroners, Medical Examiners and Funeral Directors.** We may disclose health information to funeral directors, coroners and medical examiners as permitted by law to carry out their duties.
11. **Inmates.** If you are an inmate of a correctional facility, we may disclose to the institution or agents of the institution health information necessary for your health and the health and safety of other individuals.
12. **Disclosures to Schools.** Student immunization information may be disclosed to a school without written authorization if state law requires the school to have immunization records and the patient or personal representative's written or oral agreement is documented.
13. **Sale of Protected Health Information.** We may only sell your protected health information in very limited circumstances without your written authorization, such as if the covered entity is sold.
14. **Military and Veterans.** If you are or have been a member of the armed forces, we may release your medical information as required by the Departments of Defense, Transportation or Veterans Affairs.
15. **Protective Services for the President and Others.** We may disclose health information about you to authorized federal officials for the provision of protective services to the President, foreign heads of state, or certain other persons.
16. **National Security and Intelligence Activities.** We may disclose health information about you to authorized federal officials for intelligence, counterintelligence, and other national security activities required by law.

## **ELECTRONIC HEALTH CARE RECORDS**

Some or all of your medical information may be created and/or stored in an electronic format. When permissible for valid purposes (e.g., providing treatment or billing for services) your health care providers may access your medical information electronically. Other healthcare providers outside the Health and Wellness Center caring for you may also receive access to your electronic health records for purposes outlined above.

## **YOUR RIGHTS REGARDING YOUR MEDICAL INFORMATION**

You have the following rights regarding medical information we maintain about you:

**Right to Inspect and Receive Copies.** You may ask to inspect and to receive copies of medical information that may be used to make decisions about your care, including your medical and billing records. To inspect or receive copies of your medical information, submit your request in writing to the SJFC Health and Wellness Center. We may charge a fee for the costs of copying, mailing or other supplies associated with your request for copies. You may not be denied a copy if you are unable to pay. You may request an electronic copy of your record and it will be provided in an electronic format if it is readily producible; otherwise you will be provided with a printed copy. We may deny your request to inspect or receive copies in certain limited circumstances. If your request is denied, you may ask that the denial be reviewed. Another licensed health care professional who we choose will review your request and the denial. The person conducting the review will not be the person who denied your request. You have additional rights to appeal a denial to the New York State Department of Health.

**Right to Amend.** If you feel your medical information is incorrect or incomplete, you may ask to amend the information for as long as we maintain the information. Your request must be made in writing to the SJFC Health and Wellness Center. You must also provide a reason that supports your request. We may deny your request if the information:

- was not created by us, unless the person or entity that created the information is no longer available to make the amendment;
- is not part of the medical information kept by or for us;
- is not part of the information that you would be permitted to inspect or receive copies; or
- is accurate and complete.

If your request to amend your record is denied, you will have the right to have certain information related to your requested amendment included in your records. These rights will be explained to you in the written denial notice.

**Right to a Listing of Persons Receiving Your Medical Information.** You may request an "accounting of disclosures" of medical information released about you. An accounting of disclosures does not include disclosures made:

- to you or your personal representative;

- with your written authorization;
- for treatment, payment or health care operations;
- from the patient directory
- to your family or friends involved in your care or payment for your care;
- incidental to permissible uses or disclosures; or
- about inmates to correctional institutions or law enforcement officers.

To request this disclosure, submit your request in writing to the SJFC Health and Wellness Center. Your request must state a time period, **which may not** be longer than six years and may not include dates before August 1, 2015, the effective date of this Privacy Notice. The first list you request within a 12-month period will be free. We may charge you for the costs of providing additional lists. We will notify you of the cost involved and you may withdraw or change your request before you are charged any fees.

**Right to Request Restrictions.** You have the right to request a restriction on how we use or disclose your health information to treat your condition, collect payment for your treatment or for our health care operations. We are not required to agree to your request. If we do agree, we will fulfill your request unless the information is needed to provide you emergency treatment.

**Right to Request Confidential Communications.** You may request that we communicate with you about medical matters in an alternative way or at an alternative location (for example, you may wish to be contacted at home rather than at work). Your request should be directed to the area that would handle the communication. You do not need to provide a reason for your request. Reasonable requests will be accommodated.

**Right to a Paper Copy of This Notice. You may request a paper copy of this notice.** You may also obtain a copy of this notice at the following website: [www.sjfc.edu](http://www.sjfc.edu)

### **CHANGES TO THIS NOTICE**

We reserve the right to change this notice. We may 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. The current Notice will be displayed and available to you.

### **COMPLAINTS**

If you believe your privacy rights have been violated, you may file a complaint with us or with the Secretary of the Department of Health and Human Services. To file a privacy-related complaint with us, you may call the Health and Wellness Center at 585-385-8280. All complaints to the Department of Health and Human Services must be submitted in writing. You will not be penalized for filing a complaint.

### **OTHER USES OF MEDICAL INFORMATION**

Other uses and disclosures of medical information not covered by this notice or the laws that apply to us will be made only with your written permission. If you provide us permission to use or disclose medical information about you, you may revoke that permission, in writing, at any time. However, we are unable to take back any disclosures we have already made with your permission. If you have any concerns about the uses of your medical information, please feel free to discuss the issues with your health care providers. If you have questions about this notice, please call SJFC Health and Wellness Center at (585) 385-8280.