

## **Privacy Policy**

### **NOTICE OF PRIVACY PRACTICES**

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.

This privacy policy is adopted to ensure that Williamson Eye Center, "WEC", fully complies with all federal and state privacy protection laws and regulations, in particular, the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Protection of patient privacy is of utmost importance to WEC. Violations of any of these provisions will result in disciplinary action, which may include termination of employment and possible referral for criminal prosecution.

This policy shall become effective as of April 14, 2003, and shall remain in effect until it is either amended or cancelled.

If you have any questions or comments concerning this policy, you should contact the Chief Privacy Officer, Williamson Eye Center, 550 Connells Park Lane, Baton Rouge, Louisiana 70806, by mail or by telephone at No. 225-924-2020, Fax No. 225-925-0225.

### **DEFINITIONS**

For the purposes of this policy, the following defined terms shall have the following definitions.

- a. "HHS" shall mean the United States Department of Health and Human Services.
- b. "Health Information" or "Protected Health Information" shall mean, certain Individually Identifiable Health Information, as defined in 45 C.F.R. § 164.501 of the Privacy Standards.

### **I. Information Collected**

In the ordinary course of business WEC may receive personal information such as:

- a. Patient's name, address, and telephone number;
- b. Information relating to treatment, diagnosis or other medical information concerning a patient;
- c. Patient's insurance information and coverage.

In addition, other information will be gathered about a patient and we will create a record of the care and/or services provided to the patient by WEC. Some of the information also may be provided to us by other individuals or organizations that are part of the patient's "circle of care"- such as referring physician, other doctors, their health plan and family members, hospitals or other health care providers.

## **II. How WEC may Use or Disclose Your Protected Health Information**

WEC collects protected health information from you and stores it in a chart and on a computer. This is your medical record. The medical record is the property of WEC, but the information in the medical record belongs to you. WEC protects the privacy of your protected health information. It is the policy of WEC that all protected health information may not be used or disclosed unless it meets one of the following conditions:

1. The patient, who is the subject of the information, has consented to the use or disclosure and the use or disclosure is for the treatment, payment or health care operations.
  - a. Treatment. WEC collects information from you regarding your past medical history, present medical problems and/ or complaints, as well as any diagnosis and or medical treatment at WEC. This information may be transmitted to various departments within our organization, Outpatient Surgery Center for Sight, your referring physician and any other entities associated or involved in your treatment. This information may also be disclosed to your physicians or your primary care physician in association with your treatment.
  - b. Payment. WEC will collect billing information from you such as your present address, social security number, date of birth, health insurance carrier, policy number and any other related billing information. WEC may disclose to your health insurance provider, Medicare and Medicaid, or any other pay or of health care claims the minimum amount necessary of your patient health care information in order to process your health insurance claim.
  - c. Regular Health Care Operations. WEC will disclose your healthcare information to our physicians, medical assistants, nurses, nurse practitioners, physician assistants, billing clerks, administrative staff and other employees involved in your healthcare treatment.
2. The patient, who is the subject of the information, has authorized the use or disclosure of the information; or
3. The patient, who is the subject of the information, does not object to the disclosure and the disclosure is to persons involved in the health care of the individual or for facility directory purposes.
  - a. Notification and communication with family. We may disclose your protected health information to notify or assist in notifying a family member, your personal representative or another person responsible for your care about your location, your general condition, or in the event of your death. If you are able and available to agree or object, we will give you the opportunity to object prior to making this notification. If you are unable or unavailable to agree or object, our health professionals will use their best judgment in communication with your family and others.
4. Voice Mail Message. It is the policy of WEC that a voice mail or answering machine message may be left at a patient's home or other number the patient provides to WEC regarding appointments, billing or payment issues, or other PHI, related to treatment, payment or health care operations.
5. As Required by Law. It is the policy of WEC that we may use and disclose your

protected health information as required by law.

a. Public health. As required by law, we may disclose your protected health information to public health authorities for purposes related to: preventing or controlling disease, injury or disability; reporting child abuse or neglect; reporting domestic violence; reporting to the Food and Drug Administration problems with products and reactions to medications; and reporting disease or infection exposure.

b. Health oversight activities. We may disclose your protected health information to health agencies during the course of audits, investigations, inspections, licensure and other proceedings.

c. Judicial and administrative proceedings. We may disclose your protected health information in the course of any administrative or judicial proceeding.

d. Law enforcement. We may disclose your protected health information to a law enforcement official for purposes such as identifying or locating a suspect, fugitive, material witness or missing person, complying with a court order or subpoena, and/or for other law enforcement purposes.

e. Deceased person information. We may disclose your protected health information to coroners, medical examiners and funeral directors.

f. Organ donation. We may disclose your protected health information to organizations involved in procuring, banking or transplanting organs and tissues.

g. Research. We may disclose your protected health information to researchers conducting research that has been approved by an Institutional Review Board or WEC's Board of Directors.

h. Public safety. We may disclose your protected health information to appropriate persons in order to prevent or lessen a serious and imminent threat to the health or safety of a particular person or the general public.

i. Specialized government functions. We may disclose your protected health information for military, national security, prisoner purposes.

j. Worker's compensation. We may disclose your protected health information as necessary to comply with worker's compensation laws.

k. Marketing. We may contact you to provide appointment reminders or to give you information about other treatments or health-related benefits and services that may be of interest to you.

l. Change of Ownership. In the event that WEC is sold or merges with another organization, your protected health information/record will become the property of the new owner.

### **III. Other policies, uses and disclosures**

1. Notice of Privacy Practices. It is the policy of WEC that privacy practices must be published and that all uses and disclosures of protected health information are done in accordance with WEC's privacy policy.
2. Deceased Individuals. It is the policy of WEC, that privacy protections extend to information concerning deceased individuals.
3. Restriction Requests. It is the policy of WEC that serious consideration must be given to all requests for restrictions on uses and disclosures of protected health information as published in this privacy policy. You have the right to request restrictions on certain uses and disclosures of your protected health information. WEC is not required to agree to the restriction that you requested. If a particular restriction is agreed to, WEC is bound by that restriction.
4. Minimum Necessary Disclosure. It is the policy of WEC that it shall make reasonable efforts to limit the disclosure to the minimum amount of information needed to accomplish the purpose of the disclosure. It is also the policy of WEC that all requests for protected health information must be limited to the minimum amount of information needed to accomplish the purpose of the request.
5. Access to Information. It is the policy of WEC that you have the right to inspect and copy your protected health information. It is WEC's policy that access to protected health information must be granted to a patient when such access is requested. Such request shall be submitted in writing by completing WEC's request form entitled "Request for Inspection and/or Copy of Protected Health Information". Costs associated with the copying of any protected health information shall be in accordance with applicable state and federal law.
6. Designation of Personal Representative. It is the policy of WEC that access to protected health information must be granted to your designated personal representative as specified by you when such access is requested. This designation of a personal representative must be made in writing by completing WEC's form entitled "Designation of Personal Representative."
7. Confidential Communications Channels. It is the policy of WEC that you have the right to receive your protected health information through a reasonable alternative means or at an alternative location. Confidential communication channels can be used within the reasonable capability of WEC, (i.e. do not call me at work, call me at home) as requested by you. Such request shall be made in writing by completing WEC's form entitled "Confidential Channel Communication Request."
8. Amendment of Incomplete or Incorrect Protected Health Information. It is the policy of WEC that you have a right to request that WEC amend your protected health information that is incorrect or incomplete. WEC is not required to change your protected health information and will provide you with information about WEC's denial and how you can disagree with the denial. A request to amend your protected health information shall be made in writing by completing WEC's form entitled "Request for Amendment of Health Information."
9. Accounting of Disclosures. It is the policy of WEC that an accounting of disclosures of protected health information made by WEC is given to you whenever such an accounting is

requested in writing. You have a right to receive an accounting of disclosures of your protected health information made by WEC, except that WEC does not have to account for the disclosures described in Section II (1) (a)(b)(c), of this Notice of Privacy Practices. Such written request for an accounting shall be made by completing WEC's form entitled "Request for Accounting of Disclosures".

10. Complaints. It is the policy of WEC that all complaints by employees, patients, providers or other entities relating to protected health information be investigated and resolved in a timely fashion. Complaints about this Notice of Privacy Practices or how WEC handles your protected health information should be directed to:

Chief Privacy Officer  
Williamson Eye Center  
550 Connells Park Lane  
Baton Rouge, Louisiana 70806  
Telephone No. 225-924-2020  
Fax No. 225-925-0225

If you are not satisfied with the manner in which this office handles a complaint, you may submit a formal complaint to:

Department of Health and Human Services  
Office of Civil Rights  
Hubert H. Humphrey Bldg.  
200 Independence Avenue, S.W.  
Room 509F HHH Building  
Washington, DC 20201

11. Prohibited Activities. It is the policy of WEC that no employee may engage in any intimidating or retaliatory acts or actions against any person who files a complaint or otherwise exercises their rights under HIPAA regulations. It is also the policy of WEC that no disclosure of protected health care information will be withheld as a condition for payment for services from the patient or from an entity.

12. Responsibility. It is the policy of WEC that the responsibility for designing and implementing procedures related to this policy lies with the Chief Privacy Officer.

13. Mitigation. It is the policy of WEC that the effects of any unauthorized use or disclosure of protected health information be mitigated (to decrease the damage caused by the action) to the extent possible.

14. Business Associates. It is the policy of WEC that business associates must be contractually bound to protect your protected health information to the same degree as set forth in this policy.

15. Preemption of State Law. It is the policy of WEC that the federal privacy regulations are the minimum standard to be used regarding the privacy of a patient's protected health care information. If the laws of the State of Louisiana are more stringent in certain areas, the state laws in these areas shall prevail. In all other areas, the federal privacy regulations shall prevail.

16. Cooperation with Privacy Oversight Authorities. It is the policy of WEC that oversight agencies such as the Office for Civil Rights of the Department of Health and Human Services be given full support and cooperation in their efforts to ensure the protection of protected health information within this organization. It is also the policy of WEC that all personnel cooperate fully with all privacy compliance review and investigations.

If you would like to have a more detailed explanation of these rights or if you would like to exercise one or more of these rights, contact the Chief Privacy Officer of WEC.

#### **IV. Changes to this Notice of Privacy Practices**

WEC reserves the right to amend this Notice of Privacy Practices at any time in the future and will provide a copy of such amendment to you upon request or upon your next visit. Until such amendment is made, WEC is required by law to comply with this Notice.