LASSEN INDIAN HEALTH CENTER

HIPAA & Notice of Privacy Practices

This notice of HIPAA (Health Insurance Portability and Accountability Act) and Privacy Practices describes how medical information about you may be used and disclosed and how you can get access to this information. Please review this notice carefully.

1. UNDERSTANDING YOUR HEALTH RECORD/INFORMATION

Each time you visit Lassen Indian Health Center (LIHC) for services, a record of your visit is made. If you are referred by LIHC through the Contract Health Service (CHS) program, LIHC also keeps a record of your CHS visit. Typically, this record contains your symptoms, examination, test results, diagnosis, treatment, and a plan for future care. This information, often referred to as your health record, serves as a:

- Plan for your care and treatment.
- Communication source between health care professionals.
- Tools with which we can check results and continually work to improve the care we provide.
- Means by which Medicare, Medi-Cal or private insurance payers can verify the services billed.
- Tools for education of health care professionals.
- Source of information for public health authorities charged with improving the health of the people.
- Source of data for medical research, facility planning, and marketing.
- Legal document that describes the care you receive.

Understanding what is in your health record and how the information is used helps you to:

- Ensure its accuracy.
- Better understand why others may review your health information.
- Make an informed decision when authorizing disclosures.

2. YOUR HEALTH INFORMATION RIGHTS

Although your health record is the physical property of LIHC, the information belongs to you.
You have the right to:

- Inspect and receive a copy of your health records.
- Request a restriction on certain uses and disclosures of your health information. For example, you may ask that we not disclose your health information and or treatment to a family member. LIHC is not required to agree to your request; but if we do, we will comply with your request unless the information is needed to provide you with emergency services.
- Request a correction/amendment to your health record if you believe the health information, we have about you is incorrect or incomplete, we may amend your record or include your statement of disagreement.
- Request confidential communications about your health information. You may ask that we communicate with you at a location other than you home or by a different means of communications such as telephone or mail.
- Receive a listing of certain disclosures LIHC has made of your health information upon request. This information is maintained for six years or the life of the record, whichever is longer.
- Revoke your written authorization to use or disclose health information. This does not apply to health information already disclosed or used or in circumstances where we have acted on our authorization, or the authorization was obtained as a condition of obtaining insurance coverage and the insurer has a legal right to contest a claim under the policy or the policy itself.
- Obtain a paper copy of the LIHC Notice of Privacy Practices upon request.

3. LASSEN INDIAN HEALTH CENTER'S RESPONSIBILITIES

LIHC is required by law to:

- Maintain the privacy of your health information.
- Inform you about our privacy of your health information.
- Inform you about our privacy practices regarding health information we collect and maintain about you.
- Notify you if we are unable to agree to a requested restriction.
- Accommodate reasonable requests you may have to communicate health information by alternative means or an alternative location.
- Honor the terms of this notice or any subsequent revisions of this notice.

The Lassen Indian Health Center reserves the right to change its privacy practices and to make the new provisions effective for all protected health information it maintains. If LIHC makes any significant changes to this Notice, we will

send you a copy within 60 days. LIHC also will post any revised Notice of Privacy Practices at public places in its health care facility, and you may also request a copy of the notice. LIHC understands that health information about you is personal and is committed to protecting your health information. LIHC will not use or disclose your health information without your permission, except as described in this notice and as permitted by the Privacy Act.

4. HOW THE LASSEN INDIAN HEALTH CENTER MAY USE AND DISCLOSE HEALTH INFORMATION ABOUT YOU

The following categories describe how we may use and disclose health information about you. For example:

- Your personal information will be recorded in your health record and used to determine the course of treatment for you. Your health care provider will document in your health record his/her instructions to members of your healthcare team. The actions taken will be recorded in your health records so your health care provider will know how you are responding to treatment.
- If LIHC refers you to another health care facility under Contract Health Services (CHS) program, LIHC may disclose our health information to that health care provider for treatment decisions.
- If you transferred to another facility for further care and treatment, LIHC may disclose information to that facility to enable them to know the extent of treatment you have received and other information about your condition.
- Your health care provider(s) may give copies of your health information to others to assist in your treatment.

PAYMENT PURPOSES

We will use and disclose your health information for payment purposes. For example:

- If you have private insurance, Medicare, or Medi-Cal coverage, a bill will be sent to your health plan for payment. The information on or accompanying the bill will include information that identifies you, as well as your diagnosis, procedures, and supplies used for your treatment.
- If LIHC refers you to another health care provider under the Contract Health Service (CHS) program, LIHC may disclose your health information with that provider for health care payment purposes.

HEALTH CARE OPERATIONS

We will use and disclose your health information for health care operations. For example:

- We may use your health information to evaluate your care and treatment outcomes with our quality improvement team. This information will be used to continually improve the quality and effectiveness of the services we provide. This includes health care services provided under the Contract Health Services (CHS) program.

BUSINESS ASSOCIATES

LIHC provides some healthcare services and related functions with the use of contracts with business associates. For example:

- LIHC may have contracts for billing. When these services are contracted, LIHC may disclose your health information to business associates so that they can perform their jobs.
- We require our business associates to protect and safeguard your health information in accordance with all applicable federal laws.

DIRECTORY

If you are awaiting an appointment at the LIHC facility, LIHC may use or disclose your name and location within our facility, for facility operations purposes, unless you notify us that you object to this information being used.

NOTIFICATION

LIHC may use or disclose your health information to notify or assist in the notification of a family member, personal representative or other authorized person(s) responsible for your care, unless you notify us that you object.

COMMUNICATION WITH FAMILY

LIHC health providers may use or disclose your health information to others responsible for your care unless you object. For example:

- LIHC may provide your family members, other relatives, close personal friends or any other person you identify with health information which is relevant to that person's involvement with your care or payment of such care.

INTERPRETERS

In order to provide you proper care and services, LIHC may use the services of an interpreter. This may require the use or disclosure of your personal health information to the interpreter.

RESEARCH

LIHC may use or disclose your health information for research purposes that has been approved by an LIHC Institutional Review Board (IRB) that has reviewed the research proposal and established protocols to ensure the privacy of your health information for research purposes based on your written authorization.

USES AND DISCLOSURES ABOUT DESCENDANTS

LIHC may use or disclose health information about descendants to a coroner or medical examiner for the purpose of identifying a deceased person, determining a cause of death, or other duties as authorized by law. LIHC also may disclose health information to funeral directors consistent with applicable law as necessary to carry out their duties. In addition, LIHC may disclose protected health information about decedents where required under the Freedom of information Act or otherwise required by law.

ORGAN PROCUREMENT ORGANIZATION

LIHC may use or disclose your health information to organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of organs for the purpose of facilitating organ, eye, or tissue donation and transplant.

TREATMENT ALTERNATIVES AND OTHER HEALTH-RELATED BENEFITS AND SERVICES

LIHC may contact you to provide information about treatment alternatives or other types of health-related benefits and services that may be of interest to you. For example:

- We may contact you about the availability of new treatment or services for diabetes.

APPOINTMENT REMINDERS

LIHC may contact you with a reminder that you have an appointment for medical care at LIHC or to advise you of a missed appointment.

FOOD AND DRUG ADMINISTRATION (FDA)

LIHC may use or disclose your health information to the FDA in connection with an FDA-regulated product or activity. For example:

- We may disclose to the FDA information concerning adverse events involving food, dietary supplements, product defects or problems, and information needed to track FDA-regulated products or to conduct product recalls, repairs, replacements, or lookbacks (including locating people who have received products that have been recalled or withdrawn), or post marketing surveillance.

WORKERS COMPENSATION

LIHC may use or disclose your health information for workers compensation purposes as authorized or required by law.

PUBLIC HEALTH

LIHC may use or disclose your health information to public health or other appropriate government authorities as follow:

(1) LIHC may use or disclose your health information to government authorities that are authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, or conducting public health surveillance, investigations and interventions;

(2) LIHC may disclose your health information to government authorities that are authorized by law to receive reports of child abuse or neglect, and

(3) LIHC may disclose your health information to government authorities that are authorized by law if LIHC believes it is necessary to prevent serious harm. Where authorized by law, LIHC may disclose your health information to an individual who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading a disease or condition. In some situations (for example, if you are employed by LIHC) or if necessary to prevent or lessen a serious and imminent threat to the health and safety of an individual or the public, LIHC may

disclose to your employer health information concerning a work-related illness or injury or a workplace-related medical surveillance.

CORRECTIONAL INSTITUTION

If you are an inmate of a correctional institution, LIHC may use or disclose to the institution, health information necessary for your health and the health and safety of other individuals such as officers or employees or other inmates.

LAW ENFORCEMENT

LIHC may use or disclose our health information for law enforcement activities as authorized by law or in response to a court of competent jurisdiction.

MEMBERS OF MILITARY

If you are a member of the military services including the Commissioned Corps of the United States Public Health Service, LIHC may use or disclose your health information if necessary to the appropriate military command authorities as authorized by law.

HEALTH OVERSIGHT AUTHORITIES

LIHC may use or disclose your health information to health oversight agencies for activities authorized by law. These oversight activities include investigations, audits, inspections, and other actions. These are necessary for the government to monitor the health care system, government benefit programs, and entities subject to government regulatory programs and/ or civil rights laws for which health information is necessary to determine compliance. LIHC is required by law to disclose protected health information to the Secretary of Health & Human Services to investigate or determine compliance with the HIPAA privacy standards.

COMPELLING CIRCUMSTANCES

LIHC may use or disclose your health information in certain other situations involving compelling circumstances affecting the health or safety of an individual. For example, in certain instances.

(1) We may disclose limited protected health information where requested by a law enforcement official for the purpose of identifying or locating a suspect, fugitive, material witness or missing person.
(2) If you are believed to be a victim of a crime, a law enforcement official requests information about you and we are unable to obtain your agreement because of incapacity or other emergency circumstances, we may disclose the requested information if we determine that such disclosure would be in your best interests;
(3) We may use or disclose protected health information as we believe is necessary, to prevent or lessen a serious and imminent threat to the health or safety of a person;
(4) We may use or disclose protected health information during judiciary and administrative proceedings if required or authorized by law.
(5) We may use or disclose protected health information to report a crime committed on LIHC health facility premises or when LIHC is providing emergency health care; and
(6) We may make any other disclosures that are required by law.

5. NON-VIOLATION OF THIS NOTICE

LIHC is not in violation of this Notice or the HIPAA Privacy Rule if any of its employees or its contractors (business associates) disclosed protected health information under the following circumstances:

DISCLOSURES BY WHISTLEBLOWERS

- If a LIHC employee or contractor (business associate) in good faith believes that LIHC has engaged in conduct that is unlawful or otherwise violates clinical and professional standards or that the care or services provided by LIHC has the potential of endangering one or more patients or members of the workplace or the public and discloses such information to:
    - A public Health Authority or Health Oversight Authority authorized by law to investigate or otherwise oversee the relevant conduct or conditions, or the suspected violation, or an appropriate health care accreditation organization for the purpose of reporting the allegations of failure to meet professional standards or misconduct by LIHC; or

- An attorney on behalf of the workforce member, or contractor (business associate) or hired by the workforce member or contractor (business associate) for the purpose of determining their legal options regarding the suspected violation.

DISCLOSURES BY WORKFORCE MEMBER CRIME VICTIMS

- Under certain circumstances, an LIHC Workforce member (either an employee or contractor) who is a victim of a crime on or off the LIHC premises may disclose information about the suspect to law enforcement officials provided that:
  - The information disclosed is about the suspect wo committed the criminal act.
  - The information disclosed is limited to identifying and locating the suspect.

Any other uses and disclosures will be made only with your written authorization, which you may later revoke in writing at any time. (Such revocation would not apply where the health information already has been disclosed or used or in circumstances where LIHC has taken action in reliance on your authorization or the authorization was obtained as a condition of obtaining insurance coverage and the insurer has a legal right to contest a claim under the policy or the policy itself.)

To exercise your rights under this notice, to ask for more information, or to report a problem, contact the Lassen Indian Health Center's Executive Director or Privacy Officer at:

Lassen Indian Health Center
795 Joaquin Street
Susanville, CA 96130
(530) 257-2542

If you believed your privacy rights have been violated, you may file a written complaint with the above individual(s) or the Secretary of Health and Human Services, U. S. Department of Health and Human Services, Washington, D. C 20201. There will be no retaliation for filing a complaint.