

HIPAA 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.

We are required by law to protect the privacy of your health information, and to provide you with a copy of this Notice. If you have any questions about this Notice or would like further information, please contact our Privacy Officer's Designee in the Patient Relations Department at 718 283-7212.

WHO WILL FOLLOW THIS NOTICE?

This Notice describes the health information privacy practices of Maimonides Medical Center, its medical staff, and affiliated health care providers that jointly provide health care services with our hospital. The privacy practices described in this Notice will be followed by: (1) any health care professional who treats you at any of our locations, including our Ambulatory Health Services Network; (2) any employee, student, trainee or volunteer, at any of our locations, including our Ambulatory Health Services Network; (3) any employee, medical staff, trainee, student or volunteer at MMC Pharmacy, Inc. or Infusion Options, Inc.; and (4) any business associates of our hospital, of MMC Pharmacy, Inc. or Infusion Options, Inc. Your private physician may have different privacy practices regarding the use and disclosure of your health information related to care provided at his/her office.

WHAT HEALTH INFORMATION IS PROTECTED

We are committed to protecting the privacy of information we gather about you while providing health-related services. Some examples of protected health information are:

- information indicating that you are a patient at the hospital or receiving treatment or other health-related services from our hospital;
- information about your health condition (such as a disease you may have);
- information about health care products or services you have received or may receive in the future (such as an operation); or
- information about your health care benefits under an insurance plan (such as whether a prescription is covered);

when combined with:

- demographic information (such as your name, address, or insurance status);
- unique numbers that may identify you (such as your social security number, your phone number, or your driver's license number); and
- other types of information that may identify who you are.

HOW WE MAY USE AND DISCLOSE YOUR HEALTH INFORMATION WITHOUT YOUR WRITTEN AUTHORIZATION

We explain below how we may use and disclose your health information without your written authorization.

Modified 12/15/21

1. Treatment, Payment And Business Operations

Treatment. We may share your health information with doctors, nurses, technicians or other health care providers at the hospital and its affiliated faculty practices who are involved in taking care of you, and they may in turn use that information to diagnose or treat you. A doctor at our hospital may share your health information with another doctor inside our hospital, or with a doctor at another hospital, to determine how to diagnose or treat you. Your doctor may also share your health information with another doctor to whom you have been referred for further health care. Our different departments and health care practitioners may share your health information in order to provide and coordinate services such as prescriptions, lab work and x-rays. Our faculty, students, volunteers and trainees will have access to your health information for training and treatment purposes as they participate in continuing education training, internships and residency programs. We also may disclose health information about you to people outside the Medical Center who may be involved in your medical care after you leave the Medical Center, such as physicians who will provide follow-up care, physical therapy organizations, medical equipment suppliers, home care agencies, health homes and skilled nursing facilities.

Payment. We may use your health information or share it with others so that we may obtain payment for your health care services. For example, we may share information about you with your health insurance company in order to obtain reimbursement after we have treated you, or to determine whether it will cover your treatment. We may share your information with other providers and payors for their payment activities, such as an ambulance company.

Business Operations. We may use your health information or share it with others in order to conduct our business operations which include internal administration, planning, and various activities that improve the quality and cost-effectiveness of the care that we deliver to you, such as performance improvement, utilization review, internal auditing, accreditation, certification, licensing, educational and credentialing activities. For example, we may use your health information to conduct patient satisfaction surveys, to evaluate the performance of our staff in caring for you, or to educate our staff on how to improve the care they provide for you. We may disclose your health information to our patient representatives and other staff in order to resolve any complaints you may have and ensure that you have a comfortable visit with us. Finally, we may share your health information with other health care providers and payors for certain of their business operations if the information is related to a relationship the provider or payor currently has or previously had with you, and if the provider or payor is required by federal law to protect the privacy of your health information.

Appointment Reminders, Treatment Alternatives, Benefits And Services. In the course of providing treatment to you, we may use your health information to contact you with a reminder that you have an appointment for treatment or services. We may also use your health information in order to recommend possible treatment alternatives or health-related benefits and services that may be of interest to you.

Fundraising. To support our business operations, we may use demographic information about you, including information about your age and gender, where you live or work as well as the dates that you received treatment, the department of service, your treating physician, outcome information and your health insurance status in order to contact you to raise money to help us operate. We may also share this information with a charitable foundation that will contact you to raise money on our behalf. If you do not want us to contact you for fundraising efforts, you may contact the Development Office at 718 283-8200.

Business Associates. We may disclose your health information to contractors, agents and other business associates who need the information in order to assist us with providing treatment or obtaining payment or carrying out our business operations. For example, we may share your health

information with a billing company that helps us to obtain payment from your insurance company. We may share your health information with medical transcriptionists and copy services which assist us with copying your medical records. If we do disclose your health information to a business associate, we will have a written contract requiring that our business associate protect the privacy of your health information.

2. **Patient Directory/Disaster Relief Organizations/Family and Friends .**

Patient Directory. If you do not object, we will include your name, your location in our facility, your general condition (e.g., fair, stable, critical, etc.) and your religious affiliation in our Patient Directory while you are a patient in the hospital or at any of our facilities. This directory information, except for your religious affiliation, may be released to people who ask for you by name. Your religious affiliation may be given to a member of the clergy, such as a priest or rabbi, even if he or she doesn't ask for you by name.

Disaster Relief Organizations. We may disclose your health information to disaster relief organizations such as the Red Cross to assist your family members or friends in locating you or learning about your general condition in the event of a disaster.

Family and Friends Involved In Your Care. If you do not object, we may share your health information with a family member, relative, or close personal friend who is involved in your care or payment for that care. We may assume you agree to our disclosure of your health information to your spouse when you bring your spouse with you into the exam room or the hospital during treatment or while treatment is discussed. We may also notify a family member, personal representative or another person responsible for your care about your location and general condition here at the hospital, or about the unfortunate event of your death. In some cases, we may need to share your information with a disaster relief organization that will help us notify these persons.

3. **Public Need**

We may use your health information, and share it with others, to comply with the law or to meet important public needs that are described below.

As Required By Law. We may use or disclose your health information if we are required by law to do so. We also will notify you of these uses and disclosures if notice is required by law.

Public Health Activities. We may disclose your health information to authorized public health officials (or a foreign government agency collaborating with such officials) so they may carry out their public health activities. For example, we may share your health information with government officials that are responsible for controlling disease, injury or disability.

Victims Of Abuse, Neglect Or Domestic Violence. We may release your health information to a public health authority that is authorized to receive reports of abuse, neglect or domestic violence. For example, we may report your information to government officials if we reasonably believe that you have been a victim of such abuse, neglect or domestic violence. We will make every effort to obtain your permission before releasing this information, but in some cases we may be required or authorized to act without your permission.

Health Oversight Activities. We may release your health information to government agencies authorized to conduct audits, investigations, inspections and licensure of our facilities. These government agencies monitor the operation of the health care system, government benefit programs such as Medicare and Medicaid, and compliance with government regulatory programs and civil rights laws.

Product Monitoring, Repair And Recall. We may disclose your health information to a

person or company that is regulated by the Food and Drug Administration for the purpose of reporting about problems with products.

Lawsuits And Disputes. We may disclose your health information if we are ordered to by a court or administrative tribunal that is handling a lawsuit or other dispute.

National Security And Intelligence Activities Or Protective Services. We may disclose your health information to authorized federal officials who are conducting national security and intelligence activities or providing protective services to the President or other important officials.

Military And Veterans. If you are in the Armed Forces, we may disclose health information about you to appropriate military command authorities for activities they deem necessary to carry out their military mission. We may also release health information about foreign military personnel to the appropriate foreign military authority.

Inmates And Correctional Institutions. If you are an inmate or you are detained by a law enforcement officer, we may disclose your health information to the prison officers or law enforcement officers if necessary to provide you with health care, or to maintain safety, security and good order at the place where you are confined. This includes sharing information that is necessary to protect the health and safety of other inmates or persons involved in supervising or transporting inmates.

Workers' Compensation. We may disclose your health information for workers' compensation or similar programs that provide benefits for work-related injuries.

Coroners, Medical Examiners And Funeral Directors. We may disclose your health information to a coroner or medical examiner. This may be necessary, for example, to determine the cause of death. We may also release this information to funeral directors as necessary to carry out their duties.

Organ And Tissue Donation. We may disclose your health information to organizations that procure or store organs, eyes or other tissues.

Research. We may use and disclose your health information without your written authorization if we obtain approval through a special process to ensure that research without your written authorization poses minimal risk to your privacy. Under no circumstances, however, would we allow researchers to use your name or identity publicly. We may also release your health information without your written authorization to people who are preparing a future research project, so long as any information identifying you does not leave our facility. We may share your health information with people who are conducting research using the information of deceased persons, as long as they agree not to remove from our facility any information that identifies you.

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. In such cases, we will only share your information with someone able to help prevent the threat. We may also disclose your health information to law enforcement officers if you tell us that you participated in a violent crime that may have caused serious physical harm to another person (unless you admitted that fact while in counseling), or if we determine that you escaped from lawful custody (such as a prison or mental health institution).

Law Enforcement. We may disclose your health information to law enforcement officials for the following reasons:

- To comply with court orders or laws that we are required to follow;
- To assist law enforcement officers with identifying or locating a suspect, fugitive, witness, or missing person;
- If you have been the victim of a crime and we determine that: (1) we have been unable to obtain your agreement because of an emergency or your incapacity; (2) law enforcement officials need this information immediately to carry out their law enforcement duties; and (3) in our professional judgment disclosure to these officers is in your best interests;
- If we suspect that your death resulted from criminal conduct;
- If necessary to report a crime that occurred on our property; or
- If necessary to report a crime discovered during an offsite medical emergency (for example, by emergency medical technicians at the scene of a crime).

4. Incidental Disclosures.

While we will take reasonable steps to safeguard the privacy of your health information, certain disclosures of your health information may occur during or as an unavoidable result of our otherwise permissible uses or disclosures of your health information. For example, during the course of a treatment session, other patients in the treatment area may see, or overhear discussion of, your health information.

WHEN YOUR AUTHORIZATION IS REQUIRED.

Uses or disclosures of your health information for other purposes or activities, not listed above, will be made only with your written authorization. If you provide us authorization to use or disclose health information about you, you may revoke that authorization, in writing, at any time. If you revoke your authorization, we will no longer use or disclose health information about you for the reasons covered by your written authorization. However, we are unable to take back any disclosures we have already made with your authorization.

Most uses and disclosures of psychotherapy notes, uses and disclosures of health information for marketing purposes, and disclosures that constitute a sale of health information will be made only with your written authorization.

YOUR RIGHTS TO ACCESS AND CONTROL YOUR HEALTH INFORMATION

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

1. Right To Inspect And Copy Records

You have the right to inspect and obtain a copy of any of your health information that may be used to make decisions about you and your treatment for as long as we maintain this information in our records. This includes medical and billing records. To inspect or obtain a copy of your health information, please submit your request in writing to the Health Information Services Department. If you request a copy of the information, we may charge a fee for the costs of copying, mailing or other supplies we use to fulfill your request. The standard fee is \$0.75 per page and must generally be paid before or at the time we give the copies to you.

Under certain circumstances, we may deny your request to inspect or obtain a copy of your information. If we do, we will provide you with a written notice that explains our reasons for denying your request, and a complete description of your rights to have that decision reviewed and how you can exercise those rights. The notice will also include information on how to file a complaint about these issues with us or with the Secretary of the Department of Health and Human Services. If we have reason to deny only part of your request, we will provide access to the remaining parts.

2. **Right To Amend Records**

If you believe that the health 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 in our records. To request an amendment, please write to Health Information Services Department. Your request should include the reasons why you think we should make the amendment. Ordinarily we will respond to your request within 60 days. If we need additional time to respond, we will notify you in writing within 60 days to explain the reason for the delay and when you can expect to have a final answer to your request.

If we deny part or all of your request, we will provide a written notice that explains our reasons for doing so. You will have the right to have certain information related to your requested amendment included in your records. For example, if you disagree with our decision, you will have an opportunity to submit a statement explaining your disagreement, which we will include in your records. We will also include information on how to file a complaint with us or with the Secretary of the Department of Health and Human Services. These procedures will be explained in more detail in any written denial notice we send you.

3. **Right To An Accounting Of Disclosures**

You have a right to request an accounting of disclosures (as defined below) which identifies certain other persons or organizations to whom we have disclosed your health information. If a request for an accounting of disclosures is made to Maimonides Medical Center, our response will ordinarily be limited to disclosures made by the hospital (including our clinics) and will not usually include disclosures made by the other entities or individuals listed at the beginning of this Notice such as disclosures by individual physicians from their private offices.

An accounting of disclosures also will not include information about the following disclosures:

- Disclosures we made to you or your personal representative;
- Disclosures we made pursuant to your written authorization;
- Disclosures we made for treatment, payment or business operations;
- Disclosures made from the patient directory;
- Disclosures made to your friends and family involved in your care or payment for your care;
- Disclosures that were incidental to permissible uses and disclosures of your health information (for example, when information is overheard by another patient passing by);
- Disclosures for purposes of research, public health or our business operations of limited portions of your health information that do not directly identify you;
- Disclosures made to federal officials for national security and intelligence activities;
- Disclosures about inmates to correctional institutions or law enforcement officers.

To request an accounting of disclosures, please write to the Health Information Services Department. Your request must state a time period within the past six years for the disclosures you want us to include. You have a right to receive one accounting within every 12 month period for free. However, we may charge you for the cost of providing any additional accounting in that same 12 month period. We will always notify you of any cost involved so that you may choose to withdraw or modify your request before any costs are incurred.

Ordinarily we will respond to your request for an accounting within 60 days. If we need additional time to prepare the accounting you have requested, we will notify you in writing about the reason for the delay and the date when you can expect to receive the accounting. In rare cases, we may have to delay providing you with the accounting without notifying you because a law enforcement official or government agency has asked us to do so.

4. **Right To Request Additional Privacy Protections**

You have the right to request that we further restrict the way we use and disclose your health

information to treat your condition, collect payment for that treatment, or run our business operations. You may also request that we limit how we disclose information about you to family or friends involved in your care. For example, you could request that we not disclose information about a surgery you had. To request restrictions, please write to the Health Information Services Department. Your request should include (1) what information you want to limit; (2) whether you want to limit how we use the information, how we share it with others, or both; and (3) to whom you want the limits to apply. We will send you a written response. Except as described below, we are not required to agree to your request for a restriction, and in some cases the restriction you request may not be permitted under law. We are required to agree to your request that we not share information about a service with your health plan for payment or health care operations if you pay for the service yourself "out of pocket" in full. If we agree to a restriction, we will be bound by our agreement unless the information is needed to provide you with emergency treatment or comply with the law. Once we have agreed to a restriction, you have the right to revoke the restriction at any time. Under some circumstances, we will also have the right to revoke the restriction as long as we notify you before doing so; in other cases, we will need your permission before we can revoke the restriction.

5. Right To Request Confidential Communications

You have the right to request that we communicate with you about your medical matters in a more confidential way by requesting that we communicate with you by alternative means or at alternative locations. For example, you may ask that we contact you at home instead of at work. To request more confidential communications, please write to our Patient Relations Department. We will not ask you the reason for your request, and we will try to accommodate all reasonable requests. Please specify in your request how or where you wish to be contacted, and how payment for your health care will be handled if we communicate with you through this alternative method or location.

6. Right to Electronic Access

You have the right to access electronic copies of your health information when requested (to the extent that we maintain the information in an electronic form). When information is not readily producible in the electronic form and format you have requested, we will provide you the information in an alternative readable electronic format as we may mutually agree upon.

We are advising you in this notice that, if you request that information available in an electronic format be provided via email, that email is an unsecure medium for transmitting information and that there is some risk if health information is emailed. Information transmitted via email is more likely to be intercepted by unauthorized third parties than more secure transmission channels. If we agree to email you information, you are accepting the risks we have notified you of, and you agree that we are not responsible for unauthorized access of such health information while it is in transmission to you based on your request, or when the information is delivered to you.

7. Breach of Health Information

We will inform you if there is a breach of your unsecured health information.

ADDITIONAL INFORMATION

How Someone May Act On Your Behalf.

You have the right to name a personal representative who may act on your behalf to control the privacy of your health information. Please note, however, that naming someone to act on your behalf to control the privacy of your health information does not in itself give that person the right to make treatment decisions on your behalf. Parents and guardians will generally have the right to control the privacy of health information about minors unless the minors are permitted by law to act on their own behalf.

Special Protections For HIV-Related, Mental Health and Substance Abuse Information.

Special privacy protections apply to HIV-related information, and certain mental health information and substance abuse information. Some parts of this Notice of Privacy Practices may not apply to these types of information. A written explanation of how this information will be protected is set forth at the end of this Notice.

Privacy Officer.

Our Privacy Officer is Sandra Maliszewski. If you have any questions about this Notice or would like further information, please contact our Privacy Officer's Designee in the Patient Relations Department at 718 283-7212.

HOW TO OBTAIN COPIES OF THIS NOTICE

You have the right to a paper copy of this notice. You may request a paper copy at any time, even if you have previously agreed to receive this notice electronically. To do so, please contact the *Patient Relations Department at 718 283-7212*. You may also obtain a copy of this document from our website at www.maimonidesmed.org, or by requesting a copy at your next visit. We may change our privacy practices from time to time. If we do, we will revise this notice so you will have an accurate summary of our practices. The revised notice will apply to all of your information held by Maimonides and its affiliated providers and we will be required by law to abide by its terms. You will also be able to obtain your own copy of the revised notice by contacting the Patient Relations Department at 718 283-7212, accessing our website, or asking for one at the time of your next visit. The Effective Date of the Notice will be located in the upper right corner of the first page.

HOW TO FILE A COMPLAINT

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 complaint with us, please contact the Patient Relations Department at 718 283-7212. No one will retaliate or take action against you for filing a complaint.

CONFIDENTIALITY OF MENTAL HEALTH INFORMATION

The privacy and confidentiality of mental health information maintained by any unit or program of this hospital that is specially licensed to provide mental health services is protected by State law and regulations. Certain types of mental health information are afforded additional protections. If there is any conflict between these protections and the protections covering other health information described above, the special protections for mental health information will apply.

Generally, personnel within the hospital (or its business associates) may use your mental health information in connection with their duties to provide you with treatment, obtain payment for that treatment, or conduct the hospital's business operations. Generally the hospital may not reveal mental health information about you to other persons outside of the hospital, *except in the following situations:*

- When the hospital has obtained your written authorization;
- To a personal representative who is authorized to make health care decisions on your behalf;
- To government agencies or private insurance companies in order to obtain payment for services we provided to you;
- To other mental health providers treating you who are part of the State's organized mental health system;
- To comply with a court order;
- To appropriate persons who are able to avert a serious and imminent threat to the health or safety of you or another person;

- To appropriate government authorities to locate a missing person or conduct a criminal investigation as permitted under Federal and State confidentiality laws;
- To other licensed hospital emergency services as permitted under Federal and State confidentiality laws;
- To the mental hygiene legal service offered by the State;
- To attorneys representing patients in an involuntary hospitalization proceeding;
- To authorized government officials for the purpose of monitoring or evaluating the quality of care provided by the hospital or its staff;
- To qualified researchers without your specific authorization when such research poses minimal risk to your privacy;
- To coroners and medical examiners to determine cause of death; and
- If you are an inmate, to a correctional facility which certifies that the information is necessary in order to provide you with health care, or in order to protect the health or safety of you or any other persons at the correctional facility.

CONFIDENTIALITY OF HIV-RELATED INFORMATION

The privacy and confidentiality of HIV-related information maintained by Maimonides Medical Center is protected by Federal and State law and regulations. These protections are more extensive than the protections for your other health care information described above.

Confidential HIV-related information is any information indicating that you had an HIV-related test, have HIV-related illness or AIDS, or have an HIV-related infection, as well as any information which could reasonably identify you as a person who has had a test or has HIV infection.

Under New York State law, confidential HIV-related information can only be given to persons allowed to have it by law, or persons you have allowed to have it by signing a written authorization form.

In general, confidential HIV-related information about you may be used by personnel within the hospital who need the information to provide you with direct care or treatment, to process billing or reimbursement records, or to monitor or evaluate the quality of care provided at the hospital. Generally the hospital may not reveal to a person outside of the hospital any confidential HIV-related information that the hospital obtains in the course of treating you, *unless*:

- The hospital obtains your written authorization;
- The disclosure is to a person who is authorized under applicable law to make health care decisions on your behalf and the information disclosed is relevant to that person fulfilling such health care decision making role;
- The disclosure is to another health care provider or payer for treatment or payment purposes;
- The disclosure is to an external agent of the hospital who needs the information to provide you with direct care or treatment, to process billing or reimbursement records, or to monitor or evaluate the quality of care provided at the hospital. In such cases, the hospital will ordinarily have an agreement with the agent to ensure that your confidential HIV-related information is protected as required under Federal and State confidentiality laws and regulations;
- The disclosure is required by law or court order;
- The disclosure is to an organization that procures body parts for transplantation;
- You receive services under a program monitored or supervised by a Federal, State or local government agency and the disclosure is made to such government agency or other employee or agent of the agency when reasonably necessary for the supervision, monitoring, administration of provision of the program's services;
- The hospital is required under Federal or State law to make the disclosure to a public health officer, including the required reporting of certain test results and known contacts;
- The disclosure is required for public health purposes and/or in connection with certain exposure incidents with Medical Center staff;

- If you are an inmate at a correctional facility and disclosure of confidential HIV-related information to the medical director of such facility is necessary for the director to carry out his or her functions;
- For decedents, the disclosure is made to a funeral director who has taken charge of the decedent's remains and who has access in the ordinary course of business to confidential HIV-related information on the decedent's death certificate;
- The disclosure is made to report child abuse or neglect to appropriate State or local authorities.

Violation of these privacy regulations may subject the hospital to civil or criminal penalties. Suspected violations may be reported to appropriate authorities in accordance with Federal and State law.

HOW TO FILE A COMPLAINT CONCERNING USE OF YOUR HIV-RELATED INFORMATION

If you experience discrimination because of the release of confidential HIV-related information, you may contact the New York State Division of Human Rights at 888.392.3644 or the New York City Commission of Human Rights at 212.306.7500. These agencies are responsible for protecting your rights.