

PEDIATRIC ORTHOPAEDIC SURGERY ASSOCIATES OF K.C., P.A.

NOTICE OF PRIVACY PRACTICES
EFFECTIVE SEPTEMBER 23, 2013

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.

5250 W. 94TH TERRACE
PRAIRIE VILLAGE, KS 66207
PHONE: (913) 451-0000

We are committed to protect the privacy of your personal health information (PHI).

This Notice of Privacy Practices (Notice) describes how we may use within our practice or network and disclose (share outside of our practice or network) your PHI to carry out treatment, payment or health care operations. We may also share your information for other purposes that are permitted or required by law. This Notice also describes your rights to access and control your PHI. We are required by law to maintain the privacy of your PHI. We will follow the terms outlined in this Notice.

YOUR HEALTH INFORMATION RIGHTS ALLOW YOU TO:

SEE OR COPY YOUR HEALTH INFORMATION – You have the right to see or request a copy your health information. Your request must be in writing. We may charge you a reasonable fee for costs associated with your request. We are not required to allow you to see or copy information prepared for use in legal actions or proceedings.

CORRECT INFORMATION YOU BELIEVE TO BE INCORRECT OR INCOMPLETE – If you believe that your medical information is incorrect or incomplete, you may submit a request to us asking that your information be changed. Your request must be in writing and must include the reason(s) why you believe a change should be made. We are not required to approve your request. We will notify you if we approve your request, or explain the reason(s) for our decision if we deny your request.

REQUEST A LISTING OF WHO WAS GIVEN YOUR INFORMATION AND WHY – You have the right request a list of disclosures of your medical information that we made in compliance with federal and state law. Upon your request, we will provide you with a list that includes the date we released medical information, the name of the person or organization, a brief description, and the reason for the disclosure.

REQUEST RESTRICTION(S) ON HOW WE USE OR SHARE YOUR INFORMATION – You have the right to request a restriction or limitation on how we use or release your medical information for purposes of treatment, payment or operations. We may choose not to comply with a restriction request. The following exception applies: We must accept a restriction if you or another person has paid for services out-of-pocket, in full, and you request that we do not disclose medical information related solely to those services to a health plan.

REQUEST CONFIDENTIAL COMMUNICATION(S) – You may ask that we communicate with you about health matters in a certain way or at a certain location. For example, you could request that we contact you at your workplace or via email. We will attempt to accommodate all reasonable requests. To request an alternative method of communication, you must specify how or where you wish to be contacted.

REQUEST A PAPER COPY OF THIS NOTICE – You have the right to request a paper copy of this Notice from us at any time. You may view and download a copy of this Notice from our web site, <http://www.pedorthokc.com>.

NOTIFIED OF A BREACH – Your provider is required by law to maintain the privacy of your information and provide you with notice of its legal duties and privacy practices with respect to your information and notify you following a breach of unsecured protected health information.

HOW YOUR HEALTH CARE INFORMATION MAY BE USED WITHOUT YOUR WRITTEN PERMISSION

Your medical information may be used and released by us for purposes of treatment, payment for services, administrative and operational purposes, and to evaluate the quality of the services that you receive.

FOR TREATMENT – We may share your medical information when we coordinate services you may need, such as clinical examinations, therapy, nutritional services, medications, hospitalization or follow-up care. For example, your medical information may be given to a pharmacist when you need a prescription filled.

FOR PAYMENT – We may release your medical information for billing purposes unless written consent is needed or to collect payment for service and treatment that you receive. For example, your medical information may be shared with your health plan to provide billing information

for services that you have received. We may also share your medical information with government programs such as Workers' Compensation, Medicaid, Medicare, or the Indian Health Services to coordinate benefits and payment.

FOR HEALTH CARE OPERATIONS – We may use and release your medical information to ensure that the services and benefits provided to you are appropriate and high quality. For example, we may use your medical information to evaluate our treatment and service programs or to evaluate the services of other providers that use government funds to provide health care services to you. We may combine medical information about many individuals to research health trends, to determine what services and programs should be offered, or whether new treatments or services are useful.

HEALTH INFORMATION EXCHANGE – We may make your protected health information available electronically through an information exchange service to other health care providers, health plans and health care clearinghouses that request your information. Participation in information exchange services also lets us see their information about you.

TO OTHER GOVERNMENT AGENCIES PROVIDING BENEFITS OR SERVICES – We may release your medical information to government agencies or programs that provide similar services or benefits to you if the release is necessary to coordinate the delivery of your services or benefits, or improves our ability to administer or manage the program.

FOR PUBLIC HEALTH – We may release your medical information to local, state or federal public health agencies, subject to the provisions of applicable state and federal law. For example, we may disclose information for the following types of activities:

- To prevent or control disease, injury or disability or to keep vital statistics records such as data about births and deaths;
- To notify social service agencies that are authorized by law to receive reports of abuse, neglect or domestic violence, and;
- To report reactions to medications or problems with products to the Federal Food and Drug Administration.

FOR HEALTH OVERSIGHT – We may share your medical information with other divisions of the Department of Health Services and with other agencies for oversight activities as required by law. Examples of these oversight activities include audits, inspections, investigations, and licensing activities.

LAW ENFORCEMENT – Your medical information may be disclosed to fulfill a requirement by law or law enforcement agencies. For example, medical information may be used to identify or locate a missing person.

COURT OR OTHER HEARINGS – Your medical information may be disclosed to comply with a court order.

FOR RESEARCH – We may release your medical information for research projects that have been reviewed and approved by an institutional review board or privacy board to ensure the continued privacy and protection of the medical information.

FOR LAWSUITS AND DISPUTES – If you are involved in a lawsuit or dispute, we may release your medical information about you in a response to a legal order. We may also release your medical information in response to a subpoena, discovery request, or other lawful process by another party involved in the dispute, but only if they have made an effort to tell you about the request or to obtain an order protecting the medical information requested.

TO CORONERS, MEDICAL EXAMINERS AND FUNERAL DIRECTORS – We may release your medical information to a coroner, medical examiner or funeral director, as necessary to carry out their duties as authorized by law. For example, release of medical information may be necessary to identify a deceased person.

FOR ORGAN DONATIONS – If you are an organ donor, we may release your medical information to an organization that procures, banks, or transports organs for the purpose of an organ, eye, or tissue donation and transplantation.

TO AVERT A SERIOUS THREAT TO HEALTH OR PUBLIC SAFETY – We may release your medical information if it is necessary to prevent or lessen a serious threat to your health and safety, the health and safety of another person, or to the general public.

FOR NATIONAL SECURITY AND PROTECTION OF THE PRESIDENT – We may release your medical information to an authorized federal official or other authorized person for the purpose of national security, providing protection to the President, or to conduct special investigations as authorized by law.

TO CORRECTIONAL INSTITUTIONS – If you are an inmate of a correctional institution or in the custody of a law enforcement officer, we may release your medical information to the correctional institution or law enforcement officer, provided the release is necessary to provide you with health care, protect your health and safety, the health and safety of others, or the safety and security of the correctional institution.

SPECIALIZED GOVERNMENT FUNCTIONS – We may release your medical information to the government for specialized government functions. For example, your medical information may be disclosed to the Department of Veterans Affairs to determine eligibility for benefits.

REQUIRED BY LAW – In addition to the ways listed previously, your medical information may be disclosed when required by law.

*If you **do not** object and the situation is not an emergency and disclosure is not otherwise prohibited by other laws*, we are permitted to release your information under the following circumstances:

- To Individuals Involved In Your Care – We may release your medical information to a family member, other relative, friend or other person whom you have identified to be involved in your health care or the payment of your health care;
- To Family – We may use your medical information to notify a family member, a personal representative or a person responsible for your care, of your location, general condition or death.
- To Disaster Relief Agencies – We may release your medical information to an agency authorized by law to assist in disaster relief activities.

Other uses and disclosures of your PHI:

- Business Associates: Some services are provided through the use entities called “business associates”. We will release only the minimum amount of PHI necessary so that the business associate can perform the identified services. We require the business associate(s) to safeguard your information. Examples of business associates would be a billing company or a transcription service.
- Appointment Reminders: We may contact you as a reminder about upcoming appointments or treatments.

The following uses and disclosures of PHI require your written authorization:

- Marketing
- Disclosures of for any purposes which require the sale of your information
- Disclosure of most uses and disclosures of psychotherapy notes

OUR RESPONSIBILITIES:

We are required by state and federal law to maintain the privacy of your medical information. We will adhere to the strict standards of security and confidentiality. Release of your medical information for reasons other than those necessary for treatment, payment or operations, as outlined in this Notice, or as otherwise permitted by state or federal law, will be made only with your written authorization. You may, revoke, in writing, your authorization at any time. If you revoke your authorization, we will no longer release your medical information to the prior authorized recipient(s), except to the extent that we previously relied on your original authorization to release your information.

We are required to abide by the provisions of the Notice. We, however, reserve the right to revise this Notice. We also reserve the right to make the revised Notice effective for the medical information that we maintain. We will post a current copy of this Notice in our facility and on our website. In addition, you may ask for a copy of our current privacy practices when you visit our facilities to receive health care services.

FOR MORE INFORMATION OR TO REPORT A PROBLEM

If you have questions, would like additional information, or want to report a problem regarding the handling of your information, please contact our Privacy Officer. The address and phone number is listed at the beginning of this Notice. You may also file a complaint with the Secretary of the U.S. Department of Health and Human Services. There will be no retaliation against you in any way for filing a complaint.

This notice is a revision of the original notice dated April 13, 2003