



SOUTHERN INDIAN HEALTH COUNCIL, INC.

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www.SIHC.org

HIPAA Notice of Privacy Practices

Effective Date: February 26, 2019

THIS NOTICE DESCRIBES HOW HEALTH INFORMATION ABOUT YOU (AS A PATIENT OF SOUTHERN INDIAN HEALTH COUNCIL, INC.) MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO YOUR PROTECTED HEALTH INFORMATION. PLEASE REVIEW IT CAREFULLY.

If you have any questions about this Notice, please contact Southern Indian Health Council, Inc.'s Privacy Officer at (619) 445-1188, extension 361.

Our Commitment to your Privacy

Southern Indian Health Council, Inc. (SIHC) is dedicated to maintaining the privacy of your Protected Health Information. We are required by law to:

- Maintain the privacy of your Protected Health Information;
- Provide you with this Notice of our legal duties and the privacy practices that we maintain concerning your Protected Health Information;
- Follow the terms of our Notice of Privacy Practices that is currently in effect;
- Notify affected individuals following a breach of their unsecured Protected Health Information.

We realize that these laws are complicated, but we must provide you with the following important information:

- How we may use and disclose your Protected Health Information;
- Your privacy rights in your Protected Health Information; and
- Our obligations concerning the use and disclosure of your Protected Health Information.

HOW WE MAY USE AND DISCLOSE HEALTH INFORMATION:

The following describes the ways we may use and disclose Protected Health Information that identifies you ("Health Information"). Except for the purposes described below, we will use and disclose Health Information only with your written permission. You may revoke such permission at any time by writing to our Privacy Officer.

For Treatment. We may use and disclose Health Information for your treatment and to provide you with treatment-related health care services. For example, we may disclose Health Information to doctors, nurses, technicians, or other personnel, including people

outside our office, who are involved in your medical care and need the information to provide you with medical care.

For Payment. We may use and disclose Health Information so that we or others may bill and receive payment from you, an insurance company or a third party for the treatment and services you received. For example, we may give your health plan information about you so that they will pay for your treatment.

For Health Care Operations. We may use and disclose Health Information for health care operations purposes. These uses and disclosures are necessary to make sure that all of our patients receive quality care and to operate and manage our office. For example, we may use and disclose information to make sure the obstetrical or gynecological care you receive is of the highest quality. We also may share information with other entities that have a relationship with you (for example, your health plan) for their health care operation activities.

Appointment Reminders, Treatment Alternatives and Health Related Benefits and Services. We may use and disclose Health Information to contact you to remind you that you have an appointment with us. We also may use and disclose Health Information to tell you about treatment alternatives or health-related benefits and services that may be of interest to you.

Individuals Involved in Your Care or Payment for Your Care. We may disclose Health Information to a member of your family, a relative, a close friend or any other person you identify that directly relates to that person's involvement in your health care. We will only disclose this information if you agree, you are given the opportunity to object to such a disclosure and do not do so or, if in our professional judgment, we determine that it is in your best interest to allow the person to receive the information or act on your behalf.

Health Information Exchange: We participate in an electronic exchange network and some uses and disclosures described in this Notice may be done through electronic means such as a Health Information Exchange (HIE). Health Information may be securely exchanged between your treating providers at different health care organizations to coordinate your care.

SPECIAL SITUATIONS:

As Required by Law. We will disclose Health Information when required to do so by law.

To Avert a Serious Threat to Health or Safety. We may use and disclose Health Information when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Disclosures, however, will be made only to someone who may be able to help prevent the threat.

Business Associates/Qualified Service Organizations. We may disclose Health Information to our business associates and/or qualified service organizations that

perform functions on our behalf or provide us with services if the information is necessary for such functions or services. For example, we may use another company to perform billing services on our behalf. All of our business associates and qualified service organizations are obligated by law to protect the privacy of your information and are not allowed to use or disclose any information other than as specified in our contract.

Organ and Tissue Donation. If you are an organ donor, we may use or release Health Information to organizations that handle organ procurement or other entities engaged in procurement, banking or transportation of organs, eyes or tissues to facilitate organ, eye or tissue donation and transplantation.

Military and Veterans. If you are a member of the armed forces, we may release Health Information as required by military command authorities. We also may release Health Information to the appropriate foreign military authority if you are a member of a foreign military.

Workers' Compensation. We may release Health Information for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.

Public Health Risks. We may disclose Health Information for public health activities. These activities generally include disclosures to prevent or control disease, injury or disability; report births and deaths; report child abuse or neglect; report reactions to medications or problems with products; notify people of recalls of products they may be using; a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition; and the appropriate government authority if we believe a patient has been the victim of abuse, neglect or domestic violence. We will only make this disclosure if you agree or when required or authorized by law.

Health Oversight Activities. We may disclose Health Information to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.

Data Breach Notification Purposes. We may use or disclose your Health Information to provide legally required notices of unauthorized access to or disclosure of your health information.

Lawsuits and Disputes. If you are involved in a lawsuit or a dispute, we may disclose Health Information in response to a court or administrative order. We also may disclose Health Information in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.

Law Enforcement. We may release Health Information if asked by a law enforcement official if the information is: (1) in response to a court order, subpoena, warrant, summons or similar process; (2) limited information to identify or locate a suspect, fugitive, material witness, or missing person; (3) about the victim of a crime even if, under certain very limited circumstances, we are unable to obtain the person's agreement; (4) about a death we believe may be the result of criminal conduct; (5) about criminal conduct on our premises; and (6) in an emergency to report a crime, the location of the crime or victims, or the identity, description or location of the person who committed the crime.

Coroners, Medical Examiners and Funeral Directors. We may release Health Information to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. We also may release Health Information to funeral directors as necessary for their duties.

National Security and Intelligence Activities. We may release Health Information to authorized federal officials for intelligence, counter-intelligence, and other national security activities authorized by law.

Protective Services for the President and Others. We may disclose Health Information to authorized federal officials so they may provide protection to the President, other authorized persons or foreign heads of state or to conduct special investigations.

Inmates or Individuals in Custody. If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may release Health Information to the correctional institution or law enforcement official. This release would be if necessary: (1) for the institution to provide you with health care; (2) to protect your health and safety or the health and safety of others; or (3) the safety and security of the correctional institution.

Disaster Relief. We may disclose your Health Information to disaster relief organizations that seek your Health Information to coordinate your care, or notify family and friends of your location or condition in a disaster. We will provide you with an opportunity to agree or object to such a disclosure to the extent, in our professional judgment, it does not interfere with our ability to respond to emergency circumstances.

NOTE: FEDERAL AND STATE LAWS

Other federal and state laws may differ and be more protective of certain types of Health Information including, alcohol and substance abuse treatment, mental health, and AIDS/HIV, and require us to obtain your authorization to use and/or disclose Health Information. We will comply with the more protective laws, as appropriate.

For example, the confidentiality of alcohol and drug abuse patient information ("Substance Abuse Information") maintained by SIHC is protected by federal law and regulations, specifically 42 CFR Part 2, which are stricter than the above requirements. If applicable, you will be provided a separate notice providing more detail regarding the

federal law and regulations protecting such information and the limited ability of SIHC to use alcohol and substance abuse treatment records without your consent.

SIHC also administers certain federal grants that may include stricter standards regarding the protection of health and other information. If you are receiving services from SIHC through one of these programs, we will comply with the stricter standards when using and disclosing your Health Information.

YOUR WRITTEN AUTHORIZATION IS REQUIRED FOR OTHER USES AND DISCLOSURES

The following uses and disclosures of your Health Information will be made only with your written authorization:

- Most uses and disclosures of psychotherapy notes;
- Uses and disclosures of Health Information for marketing purposes; and
- Disclosures that constitute a sale of your Health Information

Other uses and disclosures of Health Information not covered by this Notice or the laws that apply to us will be made only with your written authorization. If you do give us an authorization, you may revoke it at any time by submitting a written revocation to our Privacy Officer and we will no longer disclose Health Information under the authorization. But disclosures that we made in reliance on your authorization before you revoked it will not be affected by the revocation.

YOUR RIGHTS:

You have the following rights regarding Health Information we have about you:

Right to Inspect and Copy. You have a right to inspect and copy Health Information that may be used to make decisions about your care or payment for your care. This includes medical and billing records, other than psychotherapy notes. To inspect and copy this Health Information, you must make your request, in writing, to Southern Indian Health Council, Inc. Medical Records Department. We have up to 30 days to make your Health Information available to you and we may charge you a reasonable fee for the costs of copying, mailing or other supplies associated with your request. We may not charge you a fee if you need the information for a claim for benefits under the Social Security Act or any other state or federal needs-based benefit program. We may deny your request in certain limited circumstances. If we do deny your request, you have the right to have the denial reviewed by a licensed healthcare professional who was not directly involved in the denial of your request, and we will comply with the outcome of the review.

Right to an Electronic Copy of Electronic Medical Records. If your Health Information is maintained in an electronic format (known as an electronic medical record or an electronic health record), you have the right to request that an electronic copy of

your record be given to you or transmitted to another individual or entity. We will make every effort to provide access to your Health Information in the form or format you request, if it is readily producible in such form or format. If the Health Information is not readily producible in the form or format you request your record will be provided in either our standard electronic format or if you do not want this form or format, a readable hard copy form. Records cannot be sent via e-mail.

Right to Get Notice of a Breach. You have the right to be notified upon a breach of any of your unsecured Protected Health Information.

Right to Amend. If you feel that Health Information we have 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 by or for our office. To request an amendment, you must make your request, in writing, to SIHC's Health Information Management Department.

Right to an Accounting of Disclosures. You have the right to request a list (accounting) of certain disclosures we made of Health Information for purposes other than treatment, payment and health care operations or for certain other disclosures such as where you provided written authorization. To request an accounting of disclosures, you must make your request, in writing, to SIHC's Health Information Management Department.

Right to Request Restrictions. You have the right to request a restriction or limitation on the Health Information we use or disclose for treatment, payment, or health care operations. You also have the right to request a limit on the Health Information we disclose to someone involved in your care or the payment for your care, like a family member or friend. For example, you could ask that we not share information about a particular diagnosis or treatment with your spouse. To request a restriction, you must make your request, in writing, to SIHC's Health Information Management Department. We are not required to agree to your request unless you are asking us to restrict the use and disclosure of your Health Information to a health plan for payment or health care operation purposes and such information you wish to restrict pertains solely to a health care item or service for which you have paid us "out-of-pocket" in full. If we agree, we will comply with your request unless the information is needed to provide you with emergency treatment.

Out-of-Pocket-Payments. If you paid out-of-pocket (or in other words, you have requested that we not bill your health plan) in full for a specific item or service, you have the right to ask that your Health Information with respect to that item or service not be disclosed to a health plan for purposes of payment or health care operations, and we will honor that request.

Right to Request Confidential Communications. You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. For example, you can ask that we only contact you by mail or at work. To request confidential communications, you must make your request, in writing, to SIHC's

Health Information Management Department. Your request must specify how or where you wish to be contacted. We will accommodate reasonable requests.

Right to a Paper Copy of This Notice. You have the right to a paper copy of this Notice. You may ask us to give you a copy of this Notice at any time. Even if you have agreed to receive this Notice electronically, you are still entitled to a paper copy of this Notice. You may obtain a copy of this Notice at our web site, www.sihc.org. To obtain a paper copy of this Notice, you may contact SIHC's Quality Management Department.

CHANGES TO THIS NOTICE:

We reserve the right to change this Notice and make the new notice apply to Health Information we already have as well as any information we receive in the future. We will post a copy of our current Notice at our office. The Notice will contain the effective date on the first page, in the top right-hand corner.

COMPLAINTS:

If you believe your privacy rights have been violated, you may file a complaint with our office or with the Secretary of the Department of Health and Human Services (HHS). All complaints must be made in writing. **We will not retaliate against you for filing a complaint.**

To file a written complaint with our office, contact SIHC's Privacy Officer by mail at the following address:

Southern Indian Health Council, Inc.
Quality Management Department
Attn: Privacy Officer
4058 Willows Road
Alpine, CA 91901