

NOTICE OF PRIVACY PRACTICES DILEY RIDGE MEDICAL CENTER

Effective Date: 9/23/2013

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.

We, at Diley Ridge Medical Center, are required by law to maintain the privacy of individually identifiable patient health information (this information is "protected health information" and is referred to herein as "PHI"). We are also required to provide patients with notice of our legal duties and privacy practices with respect to PHI. We are required to post this Notice in a prominent place within our facilities. We will only use or disclose your PHI as permitted or required by applicable state law. This Notice applies to your PHI in our possession, including the medical records generated by us.

Diley Ridge Medical Center understands that your health information is highly personal, and we are committed to safeguarding your privacy. Please read this Notice of Privacy Practices thoroughly. It describes how Diley Ridge Medical Center will use and disclose your PHI.

This Notice applies to the delivery of health care by Diley Ridge Medical Center.

While you are a patient at Diley Ridge Medical Center, you may also receive health care services from other health care providers who are not employees or agents of Diley Ridge Medical Center, but who will follow the terms of this Notice with respect to the privacy of your health information. Accordingly, this Notice also applies to records of your care kept at Diley Ridge Medical Center and created by a physician or licensed professional on the medical staff at Diley Ridge Medical Center seeing and treating you while you are a patient at Diley Ridge Medical Center, even if they are not employed by Diley Ridge Medical Center. This Notice also applies to all volunteers and medical students and trainees who provide service or receive medical training at Diley Ridge Medical Center.

I. Permitted Use or Disclosure

- A. **Treatment**: Diley Ridge Medical Center will use and disclose your PHI in the provision and coordination of health care to carry out treatment functions.
- ◆ Diley Ridge Medical Center will disclose all or any portion of your patient medical record information to your attending physician, consulting physician(s), nurses, technicians, medical students, medical equipment suppliers, and other health care providers who have a legitimate need for such information in your care and continued treatment.
 - ◆ Different departments will share medical information about you in order to coordinate specific services, such as lab work, x-rays and prescriptions.
 - ◆ Diley Ridge Medical Center will also disclose your medical information to people or entities outside Diley Ridge Medical Center who will be involved in your medical care after you leave Diley Ridge Medical Center.
 - ◆ Diley Ridge Medical Center will share certain information such as your name, address, employment, insurance carrier, emergency contact information and

appointment scheduling information in an effort to coordinate your treatment with us and with other health care providers.

- ◆ Diley Ridge Medical Center will use and disclose your PHI to inform you of or recommend possible treatment options or alternatives or other health-related benefits or services that might be of interest to you.
- ◆ Diley Ridge Medical Center may use and disclose PHI to contact you as a reminder that you have an appointment for treatment or medical care at Diley Ridge Medical Center.
- ◆ If you are an inmate of a correctional institution or under the custody of a law enforcement officer, Diley Ridge Medical Center will disclose your PHI to the correctional institution or law enforcement official.

B. Payment: Diley Ridge Medical Center will disclose PHI about you for the purposes of determining coverage, eligibility, funding, billing, claims management, medical data processing, stop loss / reinsurance and reimbursement.

- ◆ The medical information will be disclosed to an insurance company, third party payer, third party administrator, health plan or other health care provider (or their duly authorized representatives) involved in the payment of your medical bill and will include copies or excerpts of your medical records which are necessary for payment of your account. It will also include sharing the necessary information to obtain pre-approval for payment for treatment from your health plan.
- ◆ Diley Ridge Medical Center will disclose PHI to collection agencies and other subcontractors engaged in obtaining payment for care.

C. Health Care Operations: Diley Ridge Medical Center will use and disclose your PHI during routine health care operations including quality assurance, utilization review, medical review, internal auditing, accreditation, certification, licensing or credentialing activities of Diley Ridge Medical Center, and for educational purposes.

- ◆ For instance, Diley Ridge Medical Center will need to share your demographic information, diagnosis, treatment plan and health status for population-based activities relating to improving health or reducing health care costs, protocol development, case management and care coordination. Diley Ridge Medical Center may also share your medical information with medical or nursing students for review and learning purposes. Diley Ridge may also need to disclose your PHI to consultants, accountants, auditors, attorneys, transcription companies, information technology providers, etc. in order for such individuals and companies to provide legal and business support services to Diley Ridge.

D. Other Uses and Disclosures:

- ◆ Fundraising Activities: Diley Ridge Medical Center may contact you to raise funds for Diley Ridge Medical Center and you have a right to opt out of receiving each such communication. Diley Ridge Medical Center will use and may also disclose some of your PHI to a business associate that is contracted to conduct fundraising or to a related foundation so that the business associate or the foundation can contact you to raise funds for Diley Ridge Medical Center. For example, Diley Ridge Medical Center will use your demographic information (e.g., name, address and other contact information, age, gender, and insurance status) and the dates Diley Ridge Medical Center provided service to you. Any communication sent to you will let you know how you may opt out of receiving similar communications in the

future. If you wish to opt-out, you may do so by contacting the Diley Ridge Site Administrator at 7911 Diley Road, Canal Winchester, Ohio 43110.

- ◆ **Medical Research:** Under certain circumstances, Diley Ridge Medical Center may use and disclose your PHI for research purposes. Research projects are subject to a special approval process. This process evaluates a proposed research project and its use of medical information, trying to balance the research needs with patients' need for privacy of their medical information. Researchers are required to safeguard all PHI they receive. Diley Ridge Medical Center may disclose your PHI without your authorization to medical researchers who request it for approved medical research projects; however, with very limited exceptions such disclosures must first be cleared through this special approval process. Diley Ridge Medical Center may also use or disclose your PHI as part of research that includes treatment. Often your written authorization will be required before Diley Ridge Medical Center will allow the researchers to have access to your PHI for this type of treatment involved research.
- ◆ **Information and Health Promotion Activities:** Diley Ridge Medical Center will use and disclose some of your PHI for certain health promotion activities. For example, your name and address will be used to send you newsletters or general communications. Diley Ridge Medical Center will also send you information based on your own health concerns. Diley Ridge Medical Center may send you this information if it has determined that a product or service may help you. These communications will explain how the products or services relate to your well being and can improve your health.

E. More Stringent State and Federal Laws: The State law of Ohio is more stringent than HIPAA in several areas. Certain federal laws also are more stringent than HIPAA. Diley Ridge will continue to abide by these more stringent state and federal laws.

- ◆ **More Stringent Federal Laws:** The federal laws include applicable internet privacy laws, such as the Children's Online Privacy Protection Act and the federal laws and regulations governing the confidentiality of health information regarding substance abuse treatment.
- ◆ **More Stringent State Laws:** State law is more stringent when the individual is entitled to greater access to records than under HIPAA. State law also is more restrictive when the records are more protected from disclosure by state law than under HIPAA.

F. Health Information Exchange (HIE): If a statewide or regional health information exchange operates in this state Diley Ridge Medical Center may participate and share your health records electronically with the exchange for the purposes of improving the overall quality of health care services provided to you (e.g., avoids unnecessary duplicate testing). The HIE would have a duty to implement administrative, physical and technical safeguards that reasonably and appropriately protect the confidentiality and integrity of your medical information. State law may provide you rights to restrict, authorize, opt-in or opt-out of the exchange. For more information please contact the Privacy Officer.

II. Use or Disclosure with an Opportunity for You to Agree or Object

- A. **Family/Friends**: Diley Ridge Medical Center will disclose PHI about you to a friend or family member who is involved in your medical care. Diley Ridge Medical Center will also give information to someone who helps you pay for your care. In addition, Diley Ridge Medical Center will disclose PHI about you to an agency assisting in a disaster relief effort so that your family can be notified about your condition, status and location. You have a right to request that your PHI not be shared with some or all of your family or friends.
- B. **Diley Ridge Medical Center Directory**: Diley Ridge Medical Center will include certain limited information about you in the Diley Ridge Medical Center Directory while you are a hospital patient at Diley Ridge Medical Center. This information will include your name, location in Diley Ridge Medical Center, your general condition (e.g., fair, stable, critical, etc.) and your religious affiliation. This is so your family and friends can visit you in Diley Ridge Medical Center and know how you are doing. The directory information, except for your religious affiliation, will also be disclosed to people who ask for you by name. You have the right to request that your name not be included in the Diley Ridge Medical Center Facility Directory. If you request to opt out of the Facility Directory, we cannot inform visitors of your presence, location, or general condition. Diley Ridge Medical Center generally discloses the patient's death in response to a directory inquiry after the patient's next of kin have been notified.
- C. **Spiritual Care**: Directory information including your religious affiliation may be given to a member of the clergy, such as a priest or rabbi, even if they don't ask for you by name. Your name, location and general condition may be disclosed to members of the religious community. Diley Ridge Medical Center may notify your local religious organization, by disclosing your name that you are in Diley Ridge Medical Center and your condition. You have a right to request that your name not be given to any member of the clergy.
- D. **Immunizations**: Diley Ridge will disclose proof of immunization to a school where the state or other similar law requires it prior to admitting a student, if we obtain agreement (which can be oral) from the student (if an adult or emancipated minor), parent, guardian or other person acting for the student under applicable law.
- E. **Media Conditions Reports**: Diley Ridge Medical Center may release information for an update to the media if the media requests information about you using your full name and after we have given you an opportunity to agree or object. The following information may then be disclosed: your condition described in general terms that do not communicate specific medical information, such as "good", "fair", "serious", or "critical".

III. Use or Disclosure Requiring Your Authorization

- A. **Marketing**: Diley Ridge Medical Center is not permitted to provide your PHI to any other person or company for marketing to you of any products or services other than certain Diley Ridge Medical Center products or services unless you have signed an authorization. If Diley Ridge Medical Center receives direct or indirect payment from or on behalf of a third party to make a communication that encourages you to purchase or use that third party's product or service we will obtain your authorization.

- B. Psychotherapy Notes, Sale of PHI, and Other Uses:** In addition to marketing, the following uses and disclosures will be made only with your authorization: (i) most uses and disclosures of psychotherapy notes (if recorded by a Diley Ridge Medical Center mental health professional); and (ii) disclosures that constitute a sale of PHI. Diley Ridge does not share or sell your PHI to companies that market health care products or services directly to consumers for use by those companies to contact you, such as drug companies, unless you have signed an authorization.

Other uses and disclosures of your medical information not described in this Notice will be made only with your written authorization. Written authorizations will let you know why we are using your PHI. You have the right to revoke an authorization at any time.

IV. Use or Disclosure Permitted by Public Policy or Law without Your Authorization

- A. Law Enforcement Purposes:** Diley Ridge Medical Center will disclose your PHI for law enforcement purposes as required by law, such as responding to a court order or subpoena, identifying a criminal suspect or a missing person, or providing information about a crime victim or criminal conduct.
- B. Required by Law:** Diley Ridge Medical Center will disclose PHI about you when required by federal, state or local law to make reports or other disclosures. Diley Ridge Medical Center also will make disclosures for judicial and administrative proceedings such as lawsuits or other disputes in response to a court order or subpoena. Diley Ridge Medical Center will disclose your medical information to government agencies concerning victims of abuse, neglect or domestic violence. Diley Ridge Medical Center will report drug diversion and information related to fraudulent prescription activity to law enforcement and regulatory agencies. Specialized government functions will warrant the use and disclosure of PHI. These government functions will include military and veteran's activities, national security and intelligence activities, and protective services for the President and others. Diley Ridge Medical Center will make certain disclosures that are required in order to comply with workers' compensation or similar programs.
- C. Coroners, Medical Examiners, Funeral Directors:** Diley Ridge Medical Center will disclose your PHI to a coroner or medical examiner. For example, this will be necessary to identify a deceased person or to determine a cause of death. Diley Ridge will also disclose your medical information to funeral directors as necessary to carry out their duties.
- D. Organ Procurement:** Diley Ridge Medical Center will disclose PHI to an organ procurement organization or entity for organ, eye or tissue donation purposes.
- E. Health or Safety:** Diley Ridge Medical Center will use and disclose PHI to avert a serious threat to health and safety of a person or the public. Diley Ridge Medical Center will use and disclose PHI to Public Health Agencies for immunizations, communicable diseases, etc. Diley Ridge Medical Center will use and disclose PHI for activities related to the quality, safety or effectiveness of FDA-regulated products or activities, including collecting and reporting adverse events, tracking and facilitating product recalls, etc. and post-marketing surveillance.

V. Your Health Information Rights

Although we at Diley Ridge Medical Center must maintain all records concerning your hospitalization and/or treatment by Diley Ridge Medical Center, you have the following rights concerning your PHI:

- A. **Right to Inspect and Copy:** You have the right to access your PHI and to inspect and copy your PHI as long as we maintain it except for: psychotherapy notes, information that will be used in a civil, criminal or administrative action or proceeding, and where prohibited or protected by law. Diley Ridge Medical Center will deny your request for access to your PHI without giving you an opportunity to review that decision if:
- ◆ You are an inmate at a correctional institution and obtaining a copy of the information would risk the health, safety, security, custody or rehabilitation of you or other inmates;
 - ◆ The disclosure of the information would threaten the safety of any officer, employee or other person at the correctional institution or who is responsible for transporting you;
 - ◆ You are involved in a clinical research project and Diley Ridge Medical Center created or obtained the PHI during that research. Your access to the information will be temporarily suspended for as long as the research is in progress;
 - ◆ Diley Ridge Medical Center obtained the information that you seek access to from someone other than the health care provider under a promise of confidentiality and your access request is likely to reveal the source of the information; or
 - ◆ Under other limited circumstances specified by the federal privacy law. In these instances, however, Diley Ridge Medical Center will allow the review of its decision by a health care professional that Diley Ridge Medical Center has chosen. This person will not have been involved in the original decision to deny your request.

You also have the right to request your PHI in electronic format in cases where Diley Ridge utilizes electronic health records. You may also access information via patient portal if made available by Diley Ridge. You agree to pay a reasonable copying charge, subject to applicable limitations on the amounts that can be charged for copying medical records under Ohio law.

The address information for submitting a request to inspect or copy your PHI is found under the CONTACT INFORMATION section of this document.

Diley Ridge Medical Center will respond to your request within 30 days of its receipt. If Diley Ridge Medical Center cannot, Diley Ridge Medical Center will notify you in writing to explain the delay and the date by which we will act on your request. In any event, Diley Ridge Medical Center will act on your request within 60 days of its receipt.

- B. **Right to Amend:** You have the right to amend your PHI for as long as Diley Ridge Medical Center maintains it. However, Diley Ridge Medical Center will deny your request for amendment if:
- ◆ Diley Ridge Medical Center did not create the information;
 - ◆ The information is not part of the designated record set;
 - ◆ The information would not be available for you to inspect and copy; or
 - ◆ The information is accurate and complete.

If Diley Ridge Medical Center denies your request for changes in your PHI, Diley Ridge Medical Center will notify you in writing with the reason for the denial. Diley Ridge Medical Center will also inform you of your right to submit a written statement disagreeing with the denial. You may

ask that Diley Ridge Medical Center include your request for amendment and the denial any time that Diley Ridge Medical Center discloses the information that you wanted changed. Diley Ridge Medical Center may prepare a rebuttal to your statement of disagreement and will provide you with a copy of that rebuttal. You must make your request for amendment of your PHI in writing including your reason to support the requested amendment.

The address information for submitting a request for amendment is found under the CONTACT INFORMATION section of this document.

Diley Ridge Medical Center will respond to your request within 60 days of its receipt. If Diley Ridge Medical Center cannot, Diley Ridge Medical Center will notify you in writing to explain the delay and the date by which Diley Ridge Medical Center will act on your request. In any event, Diley Ridge Medical Center will act on your request within 90 days of its receipt.

C. Right to an Accounting: You have a right to receive an accounting of the disclosures of your PHI that Diley Ridge Medical Center made, except for the following disclosures:

- ◆ To carry out treatment, payment or health care operations;
- ◆ To you;
- ◆ For facility directories;
- ◆ For disclosures you have authorized in writing;
- ◆ National security purposes;
- ◆ For corrections or law enforcement staff
- ◆ Certain other disclosures exempted by federal privacy law; or
- ◆ That occurred prior to April 14, 2003.

For each disclosure, you will receive: the date of the disclosure, the name of the receiving organization and address if known, a brief description of the PHI disclosed and a brief statement of the purpose of the disclosure or a copy of the written request for the information, if there was one.

You must make your request for an accounting of disclosures of your PHI in writing. You must include the time period of the accounting, which may not be longer than 6 years. Diley Ridge Medical Center will respond to your request within 60 days from its receipt. If Diley Ridge Medical Center cannot, Diley Ridge Medical Center will notify you in writing to explain the delay and the date by which Diley Ridge Medical Center will act on your request. In any event, Diley Ridge Medical Center will act on your request within 90 days of its receipt.

In any given 12-month period, Diley Ridge Medical Center will provide you with an accounting of the disclosures of your PHI at no charge. We may charge for the costs of providing any additional requests for an accounting within the same 12-month period. Diley Ridge Medical Center will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred.

The address information for submitting a request for an accounting of disclosures on your health information rights is found below.

CONTACT INFORMATION FOR EXERCISING YOUR RIGHT TO INSPECT/COPY, REQUEST AN AMENDMENT AND REQUEST AN ACCOUNTING.

Requests to inspect or copy your health record, requests for an amendment to your health record and requests for an accounting of disclosure of your PHI should be directed to Diley Ridge Medical Center, Health Information Management Department at 495 Cooper Road, Suite 200, Westerville, Ohio 43081.

- D. Right to Request Restrictions:** You have the right to request restrictions on certain uses and disclosures of your PHI to carry out treatment, payment or health care operations functions or to prohibit such disclosure. However, Diley Ridge Medical Center will consider your request but is not required to agree to the requested restrictions, except as set forth below.

You also have an additional right to limit the release of PHI to family, friends, or in the facility directory. For example, you may ask that your name not be used in the waiting room or that information about your expected discharge date not be shared with your family.

- E. Right to Request Restrictions to a Health Plan:** You have the right to request a restriction on disclosure of your PHI to a health plan (for purposes of payment and health care operations) if you paid out of pocket, in full and you request that the information related to that specific date of service not be shared with your health plan. In these instances, we will honor your request.
- F. Right to Confidential Communications:** You have the right to receive confidential communications of your PHI by alternative means or at alternative locations. For example, you may request that Diley Ridge Medical Center only contact you at work or by mail.
- G. Right to Receive a Copy of this Notice:** You have the right to receive a paper copy of this Notice of Privacy Practices, upon request.

VI. Breach of Unsecured PHI.

If a breach of unsecured PHI affecting you occurs, Diley Ridge is required to notify you of the breach.

VII. Complaints

If you believe your privacy rights have been violated, you may file a complaint with Diley Ridge Medical Center or with the Secretary of the Department of Health and Human Services. To file a complaint with Diley Ridge Medical Center, please contact the Diley Ridge Medical Center Privacy Official in writing at 6150 East Broad Street, Columbus, Ohio 43213. All complaints must be submitted in writing directly to Diley Ridge Medical Center's Privacy Official. Diley Ridge Medical Center assures you that there will be no retaliation for filing a complaint.

VIII. Sharing and Joint Use of Your Health Information

In the course of providing care to you and in furtherance of Diley Ridge Medical Center's mission to improve the health of the community, Diley Ridge Medical Center will share your PHI with other organizations as described below who have agreed to abide by the terms described below:

- A. Medical Staff:** The medical staff of Diley Ridge Medical Center as well as certain contracted medical center-based physician groups providing services at Diley Ridge Medical Center participate together in an organized health care arrangement to deliver

health care to you at Diley Ridge Medical Center. Such medical center-based physician groups provide the following services at Diley Ridge Medical Center: emergency medicine, pathology and radiology. Diley Ridge Medical Center, the medical staff of Diley Ridge Medical Center and the physician groups listed in the prior sentence have all agreed to abide by the terms of this Notice with respect to PHI created or received as part of delivery of health care services to you in Diley Ridge Medical Center. Physicians and allied health care providers are members of Diley Ridge Medical Center's medical staff and will have access to and use your PHI for treatment, payment and health care operations purposes related to your care within Diley Ridge Medical Center. Diley Ridge Medical Center will disclose your PHI to the medical staff for payment, treatment and health care operations.

- B. Business Associates:** Diley Ridge Medical Center will use and disclose your PHI to business associates contracted to perform business functions on its behalf. Whenever an arrangement between Diley Ridge Medical Center and another company involves the use or disclosure of your PHI, that business associate will be required to keep your information confidential.

IX. Additional Information/Questions/Concerns.

For further information regarding the issues covered by this Notice of Privacy Practice, please contact Diley Ridge Medical Center's Privacy Official by phone at (614) 546-3292 or in writing at: 6150 East Broad Street, Columbus, Ohio 43213.

X. Changes to this Notice

Diley Ridge Medical Center is required to abide by the terms of the Notice currently in effect. Diley Ridge Medical Center reserves the right to change the terms of its Notice and to make the new Notice provisions effective for all PHI that it maintains. Diley Ridge Medical Center will distribute/provide you with the revised Notice at your first visit following the revision of the Notice in cases where it makes a material change in the Notice. You can also ask Diley Ridge for a current copy of its Notice at anytime.