

RUIDOSO HOME CARE & HOSPICE

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.**

USE AND DISCLOSURE OF HEALTH INFORMATION

Ruidoso Home Care & Hospice may use your health information, information that constitutes protected health information as defined in the Privacy Rule of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996, for purposes of providing you treatment, obtaining payment for your care and conducting health care operations. Ruidoso Home Care & Hospice has established policies to guard against unnecessary disclosure of your health information.

THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER WHICH AND PURPOSES FOR WHICH YOUR HEALTH INFORMATION MAY BE USED AND DISCLOSED:

To Provide Treatment. Ruidoso Home Care & Hospice may use your health information to coordinate care within Ruidoso Home Care & Hospice and with other involved in your care, such as your attending physician, other health care professionals and volunteers who have agreed to assist us in coordinating care. For example, physicians involved in your care will need information about your symptoms in order to prescribe appropriate medications. Ruidoso Home Care & Hospice also may disclose your health care information to individuals outside of Ruidoso Home Care & Hospice involved in your care including family members, pharmacists, suppliers of medical equipment or other health care professionals.

To Obtain Payment. Ruidoso Home Care & Hospice may include your health information in invoices to collect payment from third parties for the care you receive from us. For example, Ruidoso Home Care & Hospice may be required by your health insurer to provide information regarding your health care status so that the insurer will reimburse you or RHCH. Ruidoso Home Care & Hospice also may need to obtain prior approval from your insurer and may have to explain to the insurer your need for home care and the services that will be provided to

To Conduct Health Care Operations. Ruidoso Home Care & Hospice may use and disclose health information for its own operations in order to facilitate the function of Ruidoso Home Care & Hospice and as necessary to provide quality care to all of our patients. To the extent possible, this information will not include personal identifiers, such as your name, address, social security number, etc.

Health care operations include such activities as:

- Quality assessment and improvement activities.
- Activities designed to improve health or reduce health care costs.
- Protocol development, case management and care coordination.
- Contacting health care providers and patients with information about treatment alternatives and other related functions that do not include treatment.
- Professional review and performance evaluation
- Training of non-health care professionals.
- Accreditation, certification, licensing or credentialing activities.
- Review and auditing, including compliance reviews, medical reviews, legal services and compliance programs.
- Business management and general administrative activities of Ruidoso Home Care & Hospice.

For example, Ruidoso Home Care & Hospice may use your health information to evaluate its staff or volunteer performance, combine your health information with other Agency patients in evaluating how to more effectively serve all Agency patients, disclose your health information to Agency staff and contracted personnel for training purposes, use your health information to contact you as a reminder regarding a visit to you.

THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER WHICH AND PURPOSES FOR WHICH YOUR HEALTH INFORMATION MAY ALSO BE USED AND DISCLOSED.

When Legally Required. Ruidoso Home Care & Hospice will disclose your health information when it is required to do so by any Federal, State or local law.

When There are Risks to Public Health. Ruidoso Home Care & Hospice may disclose your health information for public activities and purposes in order to:

- Prevent or control disease, injury or disability, report disease, injury, vital events such as Birth or death and the conduct of public health surveillance, investigations and interventions.
- Report adverse events or product defects, to track products or enable product recalls, repairs and replacements; and to conduct post-marketing surveillance and compliance with requirements of the Food and Drug Administration.
- Notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease.
- Notify an employer about an individual who is a member of the workforce as legally required.

To Report Abuse, Neglect or Domestic Violence. Ruidoso Home Care & Hospice is required to notify government authorities if the Agency believes a patient is the victim of abuse, neglect or domestic violence. Ruidoso Home Care & Hospice will make this disclosure only when specifically required to or authorized by law.

To Conduct Health Oversight Activities. Ruidoso Home Care & Hospice may disclose your health information to a health oversight agency for activities including audits, civil administrative or criminal investigations, inspections, licensure or disciplinary

action. Ruidoso Home Care & Hospice, however, may not disclose your health information if you are the subject of an investigation and your health information is not directly related to your receipt of health care or public benefits.

In Connection With Judicial and Administrative Proceedings. Ruidoso Home Care & Hospice may disclose your health information in the course of any judicial or administrative proceeding in response to an order of a court or administrative tribunal as expressly authorized by such order or in response to a subpoena, discovery request or other lawful process, but only when the Agency makes reasonable efforts to either notify you about the request or to obtain an order protecting your health information.

For Law Enforcement Purposes. As permitted or required by State law, Ruidoso Home Care & Hospice may disclose your health information to a law enforcement official for certain law enforcement purposes as follows:

- As required by law for reporting of certain types of wounds or other physical injuries pursuant to the court order, warrant, subpoena or summons or similar process.
- For the purpose of identifying or locating a suspect, fugitive, material witness or missing person.
- Under certain limited circumstances, when you are the victim of a crime.
- To a law enforcement official if Ruidoso Home Care & Hospice has a suspicion that your death was the result of criminal conduct including criminal conduct at our Agency.
- In an emergency in order to report a crime.

To Coroners and Medical Examiners. Ruidoso Home Care & Hospice may disclose your health information to coroners and medical examiners for purposes of determining your cause of death or for other duties, as authorized by law.

To Funeral Directors. Ruidoso Home Care & Hospice may disclose your health information to funeral directors consistent with applicable law and if necessary, to carry out their duties with respect to your funeral arrangements. If necessary to carry out their duties, the Agency may disclose your health information prior to and in reasonable anticipation of your death.

In the Event of a Serious Threat to Health or Safety. Ruidoso Home Care & Hospice may, consistent with applicable law and ethical standards of conduct, disclose your health information if Ruidoso Home Care & Hospice, in good faith, believes that such disclosure is necessary to prevent or lessen a serious and imminent threat to your health or safety to the health and safety of the public.

For Specified Government Functions. In certain circumstances, the Federal regulations authorize Ruidoso Home Care & Hospice to use or disclose your health information to facilitate specified government functions relating to military and veterans, national security and intelligence activities, protective services for the President and others, medical suitability determinations and inmates and law enforcement custody.

For Worker's Compensation. Ruidoso Home Care & Hospice may release your health information for worker's compensation or similar programs.

AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION

Other than is stated above, Ruidoso Home Care & Hospice will not disclose your health information other than with your written authorization. If you or your representative authorizes the Agency to use or disclose your health information, you may revoke that authorization in writing at any time.

YOUR RIGHTS WITH RESPECT TO YOUR HEALTH INFORMATION

You have the following rights regarding your health information that Ruidoso Home Care & Hospice maintains:

Right to request restrictions. You may request restrictions on certain uses and disclosures of your health information. You have the right to request a limit on Ruidoso Home Care & Hospice's disclosure of your health information to someone who is involved in your care or the payment of your care. However, Ruidoso Home Care & Hospice is not required to agree to your request. If you wish to make a request for restrictions, please contact the **Privacy Officer (575) 258-0028**.

Right to receive confidential communications. You have the right to request that Ruidoso Home Care & Hospice communicate with you in a certain way. For example, you may ask that Ruidoso Home Care & Hospice only conduct communications pertaining to your health information with you privately with no other family members present. If you wish to receive confidential communications, please contact the Privacy Officer, (505) 258-0028. Ruidoso Home Care & Hospice will not request that you provide any reasons for your request and will attempt to honor your reasonable requests for confidential communications.

Right to inspect and copy your health information.

You have the right to inspect and copy your health information, including billing records. A request to inspect and copy records containing your health information may be made to **Privacy Officer, (575) 258-0028**. If you request a copy of your health information, Ruidoso Home Care & Hospice may charge a reasonable fee for copying and assembling costs associated with your request.

Right to amend health care information. You or your representative have the right to request that Ruidoso Home Care & Hospice amend your records, if you believe that your health information is incorrect or incomplete. That request may be made as long as the information is maintained by the Agency. A request for an amendment of records must be made in writing to Privacy Officer, Ruidoso Home Care and Hospice, P.O. Box 2019, Ruidoso, NM 88355. RCHC may deny the request if it is not in writing or does not include a reason for the amendment. The request may also be denied if your health information records were not created by Ruidoso Home Care & Hospice, if the records you are requesting are not part of RCHC records, or if the health information you wish to amend is not part of the health information you or your representative are permitted to inspect and copy, or if, in the opinion of Ruidoso Home Care & Hospice, the records containing your health information are accurate and complete.

Right to an accounting. You or your representative have the right to request an accounting of disclosures of your health information made by Ruidoso Home Care & Hospice for certain reasons, including reasons related to public purposes authorized by law and certain research. The request for an accounting must be made in writing to Privacy Officer, Ruidoso Home Care & Hospice, P.O. Box 2019, Ruidoso NM 88355. The request should specify the time period for the accounting starting on or after

January 1, 2003. Accounting requests may not be made for periods of time in excess of six (6) years. RCHC would provide the first accounting you request during any 12-month period without charge. Subsequent accounting requests may be subject to a reasonable cost-based fee.

Right to a paper copy of this notice. You or your representative has a right to a separate paper copy of this Notice at any time even if you or your representative has received this Notice previously. To obtain a separate paper copy, please contact the **Privacy Officer, (575) 258-0028.**

DUTIES OF RUIDOSO HOME CARE & HOSPICE

Ruidoso Home Care & Hospice is required by law to maintain the privacy of your health information and to provide you and your representative a copy of this Notice of its duties and privacy practices. Ruidoso Home Care & Hospice is required to abide by the terms of this notice. It may be amended from time to time.

RHCH reserves the right to change the terms of its Notice and to make the new Notice provisions effective for all health information that it maintains. If Ruidoso Home Care & Hospice changes its Notice, it will provide a copy of this revised Notice to you or your appointed representative. You or your personal representatives have the right to express complaints to Ruidoso Home Care & Hospice and to the Secretary of DHHS if you or your representatives believe that your privacy rights have been violated. Any complaints to Ruidoso Home Care & Hospice should be made in writing to **Privacy Officer, Ruidoso Home Care & Hospice, P.O. Box 2019, Ruidoso NM 88355.** Ruidoso Home Care & Hospice encourages you to express any concerns you may have regarding the privacy of your information. You will not be retaliated against in any way for filing a complaint.

Contact Person

Ruidoso Home Care & Hospice has designated the **PRIVACY OFFICER** as its contact person for all issues regarding privacy and your rights under the Federal privacy standards. You may contact this person at the address listed below.

Effective Date:

This Notice is effective April 1, 2003

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, PLEASE CONTACT:

**PRIVACY OFFICER
RUIDOSO HOME CARE & HOSPICE
P.O. BOX 2019
RUIDOSO, NM 88355**

**PHONE: 575.258.0028
FAX: 575 258.2648**

