



## **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**

Hospice El Paso (HELP) may use your health information for purposes of providing you treatment, obtaining payment for your care and conducting health care operations. Your health information may be used or disclosed only after Hospice El Paso has obtained your written consent. Hospice El Paso has established a policy 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 AFTER YOU HAVE PROVIDED YOUR WRITTEN CONSENT:**

**To Provide Treatment** - Hospice El Paso (HELP) may use your health information to coordinate care within the Hospice and with others involved in your care, such as your attending physician, members of the interdisciplinary team and other health care professionals who have agreed to assist HELP in coordinating care. For example, physicians involved in your care will need information about your symptoms in order to prescribe appropriate medications. HELP also may disclose your health care information to individuals outside of HELP involved in your care including family members, clergy whom you have designated, pharmacists, therapist or other health care professionals that HELP uses in order to coordinate your care.

**To Obtain Payment** - Hospice El Paso (HELP) may include your health information in invoices to collect payment from third parties for the care you may receive from HELP. For example, HELP may be required by Medicare, Medicaid, and/or your health insurer to provide information regarding your health care status so that the insurer may compensate HELP for its services. HELP also may need to obtain prior approval from your insurer and may need to explain to the insurer your need for Hospice care and the services that will be provided to you.

**To Conduct Health Care Operation** - Hospice El Paso may use and disclose health care information for its own operations in order to facilitate the function of the of and as necessary to provide quality care to all of HELP's patients. Health care operations include activities such 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 planning and development including cost management and planning related analysis and formulary development.
- ✓ Business management and general administrative activities of Hospice El Paso.
- ✓ Fundraising for the benefit of Hospice El Paso and certain professional and community education activities.

For example - Hospice El Paso may use your health information to evaluate its staff performance, combine your health information with other Hospice patients in evaluating how to more effectively serve patients, disclose your health information to Hospice staff and contracted personnel for training purposes, use your health information to contact you as a reminder regarding a visit to you, or contact you or your family as part of general fundraising and community information mailings unless you tell us you do not want to be contacted. We may use or disclose demographic information and dates of treatment to obtain reimbursement for providing your health care from your insurance carrier, a government-funding source or a charitable organization.

**For Fundraising Activities** - Hospice El Paso may use information about you including your name, address, phone number and the dates you received care in order to contact you or your family to raise money for Hospice. Hospice El Paso may also release this information to the Hospice El Paso foundation. If you do not want HELP to contact you or your family notify Charles E. Roark, ED and indicate that you do not wish to be contacted. You may use the form included at the end of this document to give this notice.

**FEDERAL PRIVACY RULES ALLOW HOSPICE EL PASO TO USE OR DISCLOSE YOUR HEALTH INFORMATION WITHOUT YOUR CONSENT OR AUTHORIZATION FOR A NUMBER OF REASONS. THESE INCLUDE:**

**When Legally Required** - Hospice El Paso will disclose your health information when it is required to do so by Federal, state or local law.

**When there are Risks to Public Health** - Hospice El Paso 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;
- ✓ To report adverse events, 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;
- ✓ To notify a person who has been exposed to a communicable disease or who may be at risk of contacting or spreading disease; and

- ✓ To an employer about an individual who a member of the workforce as required by law.

**To Report Abuse, Neglect, or Domestic Violence** - Hospice El Paso is required to notify government authorities if it believes a patient or other vulnerable household member is the victim of abuse, neglect or domestic violence. HELP will make this disclosure only when specifically required or authorized by law or when the patient agrees to the disclosure.

**To Conduct Health Oversight Activities** - Hospice El Paso (HELP) may disclose your health information to a health oversight agency for activities including audits, civil administrative or criminal investigations, inspections licensure or disciplinary action. 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 of public benefits.

**In Connection with Judicial and Administrative Proceeding** - Hospice El Paso 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 HELP makes reasonable efforts to either notify you about the request or to obtain an order protecting your health information.

**For Law Enforcement Purposes** - Hospice El Paso may disclose your health information to law enforcement officials for 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 HELP has a suspicion that your death was the result of criminal conduct including criminal conduct at the Hospice.
- ✓ In an emergency in order to report a crime.
- ✓ If a member of your household is an immediate threat to self or others.

**To Coroners and Medical Examiners** - Hospice El Paso 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** - Hospice El Paso 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, HELP may disclose your health information prior to and in reasonable anticipation of your death.

**For Organ, Eye, or Tissue Donation** - Hospice El Paso may use or disclose you health information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs, eyes or tissue for the purpose of facilitating the donation and transplantation.

**For Research Purposes** - Hospice El Paso may, under very select circumstances, use your health information for research. Before Hospice El Paso discloses any of your health information for such research purposes, the project will be subject to an extensive approval process. HELP will ask your permission if any researcher will be granted access to your individually identifiable health information.

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

**For Specified Government Functions** - In certain circumstances, the federal regulations authorize Hospice El Paso 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 Workers Compensation** - Hospice El Paso may release your health information for worker's compensation or similar programs.

### **AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION**

*Other than is stated above, Hospice El Paso will not disclose your health information other than with your written authorization.* If you or your representative authorizes the Hospice 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 right regarding your health information that Hospice El Paso maintains:

**Right to Request Restrictions** - You may request restrictions on certain uses and disclosure of your health information. You have the right to request a limit on HELP's disclosure of your health information to someone who is involved in your care or the payment of your care. However, HELP is NOT REQUIRED to agree to your request. If you wish to make a request for restrictions, please contact:

Executive Director

**Right to receive confidential communications** - You have the right to request that Hospice El Paso communicate with you in a certain way. For example, you may ask HELP 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:

Executive Director

Hospice El Paso 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:

Executive Director

If you request a copy of your health information, Hospice El Paso may charge a reasonable fee for copying and assembling costs associated with your request.

**Right to Amend health care information** - If your or your representative believes that your health information records are incorrect or incomplete, you may request that Hospice El Paso amend the records. That request may be as long as Hospice El Paso maintains the information. A request for an amendment of records must be made in writing to:

Executive Director

Hospice El Paso may deny the request if it is not in writing or does not include a reason for the amendment. The request also may be denied if your health information records were not created by Hospice El Paso, if the records you are requesting are not part of Hospice El Paso's records, 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 Hospice El Paso, the records containing your information is 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 Hospice El Paso for any reason other than for treatment, payment or health operations. The request for an accounting must be made in writing to:

Executive Director

The request should specify the time period for the accounting starting on April 14, 2003. Accounting request may not be made for periods in excess of six years. Hospice El Paso would provide the first accounting you request during a 12-month period without charge. Subsequent accounting request may be subject to a reasonable cost-based fee.

**Right to a paper copy of this notice** - You or your representative have a right to separate paper copy of this notice at any time if you or your representative have not received this Notice previously. To obtain a separate paper copy please contact:

Executive Director

Hospice El Paso or patient or representative may also obtain a copy of the current version of Hospice El Paso's Notice of privacy practices at its website, [www.hospiceelpaso.org](http://www.hospiceelpaso.org)

## **DUTIES OF HOSPICE EL PASO**

Hospice El Paso is required by law to maintain the privacy of your health information and to provide you and your representative this Notice of its duties and privacy practices. HELP is required to abide by terms of this Notice as may be amended from time to time. Hospice El Paso reserves the right to change the terms of its Notice and to make the new Notice provision effective for all health information that it maintains. If Hospice El Paso changes its Notice while you are a patient, HELP will provide a copy of the revised Notice to you or your appointed representative. You or your personal representative have the right to express complaints to Hospice El Paso and to the Secretary of Health and Human Services if you or your representative believe that your privacy rights have been violated. Any complaints to Hospice El Paso should be made in writing to:

Executive Director

Hospice El Paso 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**

Hospice El Paso's contact person for all issues regarding patient privacy and your rights under the Federal privacy standards is:

Executive Director  
1750 Curie Dr.  
El Paso TX 79902  
(915) 532-5699

## **EFFECTIVE DATE**

This notice is effective April 14, 2003

**If you have any questions regarding this notice, please contact:**

Executive Director  
Hospice El Paso  
1750 Curie Dr.  
El Paso TX 79902  
(915) 532-5699