

MONONGALIA EYE CLINIC
NOTICE OF PRIVACY PRACTICES
EFFECTIVE April 14, 2003

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.

A. PURPOSE OF THE NOTICE

Monongalia Eye Clinic is committed to preserving the privacy and confidentiality of your health information that is created and/or maintained at our practice. State and federal laws and regulations require us to implement policies and procedures to safeguard the privacy of your health information. This Notice will provide you with information regarding our privacy practices and applies to all of your health information created and/or maintained at our practice, including any information that we receive from other healthcare providers or facilities. This Notice describes the ways in which we may use or disclose your healthcare information and also describes your rights and our obligations concerning such uses or disclosures.

We will abide by the terms of this Notice, including any future revisions that we may make to the Notice as required or authorized by law. We reserve the right to change this Notice and to make the revised or changed Notice effective for health information we already have about you as well as any information we receive in the future. We will post a copy of the current Notice, which will identify its effective date, in our practice and on our website at www.VKRAJU.com

The privacy practices described in this Notice will be followed by:

1. Any healthcare professional authorized to enter information into your medical record created and/or maintained at our practice.
2. All employees, students, residents, and other providers who have access to your health information at our practice; and
3. Any member of a volunteer group that is allowed to help you while receiving services at our practice.

The individuals identified above will share your health information with each other for purposes of treatment, payment, and healthcare operations, as further described in the Notice.

B. USES AND DISCLOSURES OF HEALTH INFORMATION FOR TREATMENT, PAYMENT, AND OTHER HEALTHCARE OPERATIONS

1. **Treatment, Payment and HealthCare Operations.** The following section describes different ways that we may use and disclose your health information for purposes of treatment, payment, and healthcare operations. We explain each of these purposes below and include examples of the types of uses or disclosures that may be made for each purpose. We have not listed every type of use or disclosure, but the ways in which we use or disclose your information will fall under one of these purposes.

- a) **Treatment.** We may use your health information to provide you with healthcare treatment and services. We may disclose your health information to doctors, nurses, nursing assistants, medication aides, technicians, pharmacies or pharmacists, medical and nursing students, rehabilitation, or other personnel who are involved in your healthcare. For example, we may need to refer you to another healthcare provider to receive certain services. We will share information with that healthcare provider in order to coordinate your care and services.
- b) **Payment.** We may use or disclose your health information so that we may bill and receive payment from you, an insurance company, or another third party for the healthcare services you receive from us. We also may disclose health information about you to your health plan in order to obtain prior approval for the services we provide to you, or to determine that your health plan will pay for treatment. For example, we may need to give health information to your health plan in order to obtain prior approval to refer you to a healthcare specialist, such as a neurologist or hospital lab, to have additional tests done.
- c) **HealthCare Operations.** We may use or disclose you healthcare information in order to perform necessary administrative, educational, quality assurance, and business functions of our practice. For example, we may use your health information to evaluate the performance of our staff in caring for you. We also may use your health information to evaluate whether certain treatments and/or services offered by our practice are effective. We also may disclose your health information to other physicians, nurses, technicians, or health profession students for teaching and learning purposes.

C. USES AND DISCLOSURES OF HEALTH INFORMATION IN SPECIAL SITUATIONS.

We may use or disclose your health information in certain special situations as described below. For these situations, you have the right to limit these uses and disclosures as provided for in Section F of this Notice.

1. **Appointment reminders.** We may use or disclose your health information for purposes of contacting you to remind you of a healthcare appointment. For example, we may leave appointment reminders, surgery times and dates, test results and/or information regarding your orders on your answering machine or with a family member or other person who may answer the telephone at the number that you have given us in order to contact you.
2. **Treatment Alternatives & Health-Related Products and Services.** We may use or disclose your health information for purposes of contacting you to inform you of treatment alternatives or health-related products or services that may be of interest to you.
3. **Family Members and Friends.** We may disclose your health information to individuals, such as family members and friends, who are involved in your care or who help pay for your care. We may make such disclosures when: (a) we have your verbal agreement to do so; (b) we make such disclosures and you do not object; or (c) we can infer from the circumstances that you would not object to such disclosures.
For example, if your spouse comes into the exam room with you, we will assume that you agree to our disclosure of your information while your spouse is present in the room.
We also may disclose your health information to family members or friends in instances when you are unable to agree or object to such disclosures, provided that we feel it is in your best interests to make such disclosures and the disclosures relate to that family member or friend's involvement in your care. For example, if you present to our practice with an emergency medical conditions, we may share information with the family member or friend that comes with you to our practice. We also may share your health information with a family member or friend who calls us to request a prescription refill for you.
4. **Educational and continued care.** We may send photographs, office notes via email for research or to receive a second opinion from another physician or clinic.

<p>D. OTHER PERMITTED OR REQUIRED USES AND DISCLOSURES OF HEALTH INFORMATION</p>
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There are certain instances in which we may be required or permitted by law to use or disclose your health information without your permission. These instances are as follows:

1. **As required by law.** We may disclose your health information when required by federal, state or local law to do so. For example, we are required

by the Department of Health and Human Services (DHHS) to disclose your health information in order to allow DHHS to evaluate whether we are in compliance with the federal privacy regulations.

2. **Public Health Activities.** We may disclose your health information to public health authorities that are authorized by law to receive and collect health information for the purpose of preventing or controlling disease, injury, or disability; to report births, deaths, suspected abuse or neglect, reactions to medications; or to facilitate product recalls.
3. **Health Oversight Activities.** We may disclose your health information to a health oversight agency that is authorized by law to conduct health oversight activities, including audits, investigations, inspections, or licensure and certification surveys. These activities are necessary for the government to monitor the persons or organizations that provide healthcare to individuals and to ensure compliance with applicable state and federal laws and regulations.
4. **Judicial or administrative proceedings.** We may disclose your health information to courts or administrative agencies charged with the authority to hear and resolve lawsuits or disputes. We may disclose your health information pursuant to a court order, a subpoena, a discovery request, or other lawful process issued by a judge or other person involved in the dispute, but only if efforts have been made to (i) notify you of the request for disclosure or (ii) obtain an order protecting your health information.
5. **Worker's Compensation.** We may disclose your health information to worker's compensation programs when your health condition arises out of a work-related illness or injury.
6. **Law enforcement Officials.** We may disclose your health information in response to a request received from a law enforcement official to report criminal activity or to respond to a subpoena, court order, warrant, summons, or similar process.
7. **Coroners, medical examiners, or funeral directors.** We may disclose your health information to a coroner or medical examiner for the purposes of identifying a deceased individual or to determine the cause of death. We also may disclose your health information to a funeral director for the purpose of carrying out his/her necessary activities.
8. **Organ Procurement Organizations or Tissue Banks.** If you are an organ donor, we may disclose your health information to organizations that handle organ procurement, transplantation, or tissue banking for the purposes of facilitating organ or tissue donation or transplantation.
9. **To Avert a Serious Threat to Health or Safety.** We may use or disclose your health information when necessary to prevent a serious threat to the health or safety of you or other individuals.
10. **Military and Veterans.** If you are a member of the armed forces, we may use or disclose your health information as required by military command authorities.

11. **National Security and Intelligence Activities.** We may disclose your health information to authorized federal officials for purposes of intelligence, counterintelligence, and other national security activities, as authorized by law.
12. **Inmates.** If you are an inmate of a correctional institution or under the custody of a law enforcement official as may be necessary (i) for the institution to provide you with healthcare; (ii) to protect the health or safety of you or another person; or (iii) for the safety and security of the correctional institution.

E. USES AND DISCLOSURES PURSUANT TO YOUR WRITTEN AUTHORIZATION.
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Except for the purposes identified in Sections B through D, we will not use or disclose your health information for any other purposes unless we have your specific written authorization. You have the right to revoke a written authorization at any time as long as you do so in writing. If you revoke your authorization, we will no longer use or disclose your health information for the purposes identified in the authorization, except to the extent that we have already taken some action in reliance upon your authorization.

F. YOUR RIGHT REGARDING YOUR HEALTH INFORMATION

You have the following rights regarding your health information. You may exercise each of these rights, in writing, by providing us with a completed form that you can obtain from Monongalia Eye Clinic. In some instances, we may charge you for the cost(s) associated with providing you with the requested information. Additional information regarding how to exercise your rights, and the associated costs, can be obtained from Monongalia Eye Clinic's Privacy Officer at (304) 598-0055.

1. **Right to Inspect and Copy.** You have the right to inspect and copy health information that may be used to make decisions about your care. We may deny your request to inspect and copy your health information in certain limited circumstances. If you are denied access to your health information, you may request that the denial be reviewed. You must schedule an appointment to allow privacy and time for a technician or physician to be available.
2. **Right to Amend.** You have the right to request an amendment of your health information that is maintained by or for our practice and is used to make health care decisions about you. We may deny your request if it is not properly submitted or does not include a reason to support your request. We may also deny your request if the information sought to be amended; (a) was not created by us, unless the person or entity that created the information is

no longer available to make the amendment; (b) is not part of the information that is kept by or for our practice; (c) is not part of the information which you are permitted to inspect and copy; or (d) is accurate and complete.

3. **Right to an Accounting of Disclosures.** You have the right to request an accounting of the disclosures of your health information made by us. This accounting will not include disclosures of health information that we made for purposes of treatment, payment or healthcare operations or pursuant to a written authorization that you have signed. This accounting will not include disclosures prior to April 14, 2003 or that are otherwise not required by law to be included in the accounting.
4. **Right to Request Restrictions.** You have the right to request a restriction or limitation on the health information we use or disclose about you for treatment, payment, or healthcare operations. You also have the right to request a limit on the health information we disclose about you to someone, such as a family member or friend, who is involved in your care or in the payment of your care. For example, you could ask that we not use or disclose information regarding a particular treatment that you received. We are not required to agree to your request. If we do agree, that agreement must be in writing and signed by you and us.
5. **Right to Request Confidential Communications.** You have the right to request that we communicate with you about your healthcare in a certain way or at a certain location. For example, you can ask that we only contact you at work or by mail.
6. **Right to a Paper Copy of this Notice.** You have a right to receive 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 have a paper copy of this Notice.

G. QUESTIONS OR COMPLAINTS

If you have any questions regarding this Notice or wish to receive additional information about our privacy practices or if you believe your privacy rights have been violated, you may file a complaint with our practice or with the Secretary of DHHS. If you wish to file a complaint with our office please contact:

Office Manager- Privacy Officer
Monongalia Eye Clinic
3140 Collins Ferry Road
Morgantown, WV 26505
(304) 598-0055

All complaints must be submitted in writing. You will not be penalized for filing a complaint.