

NURSES UNLIMITED'S 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.

A. OUR COMMITMENT TO YOUR PRIVACY

Our Agency is dedicated to maintaining the privacy of your medical information. In conducting our business, we will create records regarding you and the treatment and services we provide to you. These records are our property. However, we are required by law:

- To maintain the confidentiality of your medical information.
- To provide you with this notice of our legal duties and privacy practices concerning your medical information.
- To follow the terms of our notice of privacy practices in effect at the time.

To summarize, this notice provides you with the following important information:

- How we may use and disclose your medical information.
- Your privacy rights in your medical information.
- Our obligations concerning the use and disclosure of your medical information.

CHANGES TO THIS NOTICE

The terms of this notice apply to written and electronic records containing your medical information that are created or retained by us. We reserve the right to revise, change, or amend our notice of privacy practices. Any revision or amendment to this notice will be effective for all of the information that we already have about you, as well as any of your medical information that we may receive, create, or maintain in the future. Our Agency will post a copy of our current notice on our internet website, www.nursesunlimited.com, in a prominent location in our offices and you may request a copy of our most current notice by calling or visiting our offices.

B. USE AND DISCLOSURE OF PRIVATE INFORMATION

Nurses Unlimited 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 (HIPAA), for purposes of providing you treatment, obtaining payment for your care and conducting health care operations. The Agency has established policies to guard against unnecessary disclosure of your health information.

The protection of your private information is of the utmost importance under HIPAA as well as the policy of Nurses Unlimited. Private information is divided into three separate categories; health information, individually identifiable health information and protected health information.

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Health information is any information, whether oral or recorded in any form or medium, that has been created or received by a health care provider, health plan, public health authority, employer, life insurer, or healthcare clearinghouse that relates to the past, present or future of an individual or the provision of healthcare or payment information. Individually identifiable health information is information that is a subset of health information, including demographic information collected from an individual and is created or received by a healthcare provider and relates, to the past, present, or future physical or mental health or condition of an individual. Protected health information is all individually identifiable information that is transmitted electronically, maintained in any electronic medium, or transmitted or maintained in any other form or medium.

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. The Agency may use your health information to coordinate care within the Agency and with others involved in your care, such as your attending physician and other health care professionals who have agreed to assist the Agency in coordinating care. For example, physicians involved in your care will need information about your symptoms in order to prescribe appropriate medications or equipment. The Agency also may disclose your health care information to individuals outside of the Agency involved in your care including family members, pharmacists, suppliers of medical equipment or other health care professionals.

To Obtain Payment. The Agency may include your health information in invoices to collect payment from third parties (insurance companies) for the care you receive from the Agency. For example, the Agency may be required by your health insurer to provide information regarding your health care status so that the insurer will reimburse you or the Agency. The Agency also may need to obtain prior approval from your insurer and may need to explain to the insurer your need for home care and the services that will be provided to you. In the event payment is not received for services, the Agency may use a collection agency to assist in obtaining payment.

To Conduct Health Care Operations. The Agency may use and disclose health information for its own operations in order to facilitate the function of the Agency and as necessary to provide quality care to all of the Agency 's patients. Health care operations includes such activities as:

- Quality assessment and performance improvement activities.
- Activities designed to improve health or reduce health care costs.
- Policy/Procedure 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 programs including those in which health care providers learn under supervision.

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- Accreditation, certification, licensing or credentialing activities.
- Review and auditing, including compliance reviews, record reviews, legal services and compliance programs.
- Business planning and development including cost management and planning related analyses and formulary development.
- Business management and general administrative activities of the Agency.

For example the Agency may use your health information to evaluate its staff 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, or contact you to inform you of community information through calls or mailings (**unless you tell us you do not want to be contacted**).

For Appointment Reminders. The Agency may use and disclose your health information to contact you as a reminder that you have an appointment for a home visit.

For Treatment Alternatives. The Agency may use and disclose your health information to tell you about or recommend possible treatment options or alternatives that may be of interest 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. The Agency 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. The Agency 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, 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. The Agency is allowed to notify state authorities if the Agency believes a patient is the victim of abuse, neglect or exploitation. The Agency will make this disclosure only when specifically required or authorized by law or when the patient agrees to the disclosure.

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To Conduct Health Oversight Activities. The Agency may disclose your health information to a health oversight agency for activities including audits, civil administrative or criminal investigations, inspections, licensure or disciplinary action. The Agency, 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 Lawsuits and Similar Proceedings. The Agency 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, the Agency 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 the Agency has a suspicion that your death was the result of criminal conduct including criminal conduct at the Agency.
- In an emergency in order to report a crime.

To Coroners And Medical Examiners. The Agency 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. The Agency 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.

For Organ, Eye Or Tissue Donation. The Agency may use or disclose your 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. The Agency may, under very select circumstances, use your health information for research. Before the Agency discloses any of your health information for such research purposes, the project will be subject to an extensive approval process.

In the Event of A Serious Threat To Health Or Safety. The Agency may, consistent with applicable law and ethical standards of conduct, disclose your health information if the Agency, in good faith, believes that such disclosure is necessary to prevent or

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lessen a serious and imminent threat to your health or safety or to the health and safety of the public.

For Specified Government Functions. In certain circumstances, the Federal regulations authorize the Agency 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. The Agency may release your health information for workers' compensation or similar programs.

***Note: It is the standard practice of the Agency to use fax machines to transmit health information. However, in an effort to maintain your privacy, it is the policy of Nurses Unlimited to confirm the fax number is correct.**

AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION

Other than is stated above, the Agency 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.

C. YOUR RIGHTS WITH RESPECT TO YOUR HEALTH INFORMATION

You have the following rights regarding your health information that the Agency 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 the Agency's disclosure of your health information to someone who is involved in your care or the payment of your care. However, the Agency is not required to agree to your request. If you wish to make a request for restrictions, please contact the *Corporate Compliance Officer*.
- **Right to receive confidential communications.** You have the right to request that the Agency communicate with you in a certain way. For example, you may ask that the Agency 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 *Corporate Compliance Officer*. The Agency 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 the *Corporate Compliance Officer*. If you request a copy of your health information, the Agency may charge a reasonable fee for copying and assembling costs associated with your request.

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- **Right to Electronic Records.** In the event your health information is an electronic record, you have the right to access in the electronic form and format (if the requested format is available to the Agency.) You may be charged a fee for labor and supplies cost for creating an electronic copy and for postage to transport portable media.
- **Right to amend health care information.** You or your representative have the right to request that the Agency 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 the *Corporate Compliance Officer*. The Agency 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 the Agency, if the records you are requesting:
 - 1) are not part of the Agency's records;
 - 2) is not part of the health information;
 - 3) in the opinion of the Agency, 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 the Agency 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 the *Corporate Compliance Officer*. The request should specify the time period for the accounting starting on or after April 14, 2003. Accounting requests may not be made for periods of time in excess of six (6) years. The Agency 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 have a right to a separate paper copy of this Notice at any time even if you or your representative have received this Notice previously. To obtain a separate paper copy, please contact the *Corporate Compliance Officer* or ***you may also obtain a copy of the current version of the Agency's Notice of Privacy Practices at its website, www.nursesunlimited.com.***
- **Right to File a Complaint.** You or your personal representative have the right to express complaints to the Agency and to the Director of DHHS if you or your representative believe that your privacy rights have been violated. Any complaints to the Agency should be made in writing to the *Corporate Compliance Officer*. The Agency encourages you to express any concerns you may have regarding the privacy of your information. You will not be penalized for filing a complaint. You may also file written complaints with the Director, Office for Civil Rights of the U.S. Department of Health and Human Services. Upon request, the Corporate Compliance Officer will provide you with the correct address of the Director.

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- **Right to Provide an Authorization for Other Uses and Disclosures.** Our Agency will obtain your written authorization for uses and disclosures that are not identified by this notice or are not permitted by law. Any authorization you provide to us regarding the use and disclosure of your medical information may be revoked at any time in writing. After revoking your authorization, we will no longer use or disclose your medical information for the reasons described in the authorization. Of course, we are unable to take back any disclosures that we have already made with your permission. Please note that we are required to retain records of your care.
- **Right to be Notified of a Data Breach:** In the event of a data breach, our Agency will notify you.
- **Right to Withhold Information About Treatments from Commercial Health Plans:** If you pay for services in full , you have the right to request that your commercial insurance not be billed / notified of the service. This may not apply to Medicare or Medicaid

DUTIES OF THE AGENCY

The Agency is required by law to maintain the privacy of your health information and to provide to you and your representative this Notice of its duties and privacy practices. If the Agency changes its Notice the new Notice will be posted, in Agency Offices and on the Agency website. You may also obtain a new notice by contacting the Corporate Compliance Officer.

CONTACT PERSON

The Agency has designated the *Corporate Compliance Officer* as its contact person for all issues regarding patient privacy and your rights under the Federal privacy standards. You may contact the *Corporate Compliance Officer* at:

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

THE CORPORATE COMPLIANCE OFFICER

SANDRA ROWE, RN

P.O. BOX 4534

ODESSA, TEXAS 79760

1 (866) 393-9149 EXT 205