

**BSACOMPASSION HOME CARE
NOTICE OF HOME CARE 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

BSACOMPASSION HOME CARE, (herein “Agency”) 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. The Agency has established policies to guard against unnecessary disclosure of your health information.

**THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER
WHICH AND PURPOSE 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. The Agency also may disclose your health care information to individuals outside of the Agency involved in your care including therapists, medical social workers, dieticians, family members, pharmacists, suppliers of medical equipment or other health care professionals.

To Obtain Payment. The Agency may include your health care information in to collect payment from third parties 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 services that will be provided to you.

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 clients. Health care operations includes such activities as:

- Quality assessment and improvement activities.
- Activities designed to improve health or reduces health care costs.
- Protocol development, case management and care coordination.

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- Contacting health care providers and clients 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 students, trainees, or practitioners in health care learn under supervision.

- Training of non- health 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 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 clients in evaluating how to more efficiently serve all Agency clients, disclose our health information to Agency staff and contracted personnel for training purposes, or use your health information to contact you as a reminder regarding a visit to you.

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, only when specifically required or authorized by law or when the client agrees to the disclosure, in order to:

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- 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 of a communicable disease or who may be at risk of contracting or spreading 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 the government authorities if the Agency believes a client is the victim of abuse, neglect, or domestic violence. The Agency will make this disclosure only when specifically required or authorized by law or when the client agrees to the disclosure.

To Conduct Health Oversight Committees. The Agency may disclose your health information to a health 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 Judicial and Administrative 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 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.

In 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.

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- To a law enforcement official if the Agency has a suspicion that your death was the result of criminal conduct including, but not limited to, criminal conduct of 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. If necessary to carry out their duties, the Agency may disclose your health information prior to and in reasonable anticipation of your death.

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 purpose, 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 any of your health information if the Agency, in good faith, believes that such disclosure is necessary to prevent or 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 Worker's Compensation. The Agency may release your health information for worker's compensation or similar programs.

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 at any time.

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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 meet your request. If you wish to make a request for restrictions, please contact Ronald Madison, Compliance Officer, at 806-747-8972.

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 member present. If you wish to receive confidential communication please contact Ronald Madison, Compliance Officer, at 806-747-8972. The Agency will not request that you provide any reasons for your request and will attempt to honor your reasonable request 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 Ronald Madison, Compliance Officer, at 806-747-8972. 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.

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 Ronald Madison, Compliance Officer, 10207 Indiana Avenue, Lubbock, Tx., 79423. The Agency 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 the Agency, if the records you are requesting are not part of the Agency'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 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 Ronald Madison, Compliance Officer, 10207 Indiana Avenue, Lubbock, Tx., 79423. The request should specify the time period for the accounting starting on or after November 26, 2007.

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Accounting requests may not be made for periods of time in excess of six (6) years. The Agency will 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 Ronald Madison, Compliance Officer, at 806-747-8972.

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. The Agency is required to abide by the terms of this Notice as may be amended from time to time. The Agency reserves the right to change the terms if its Notice and to make the new Notice provisions effective for all health information that it maintains. If the Agency changes its Notice, the Agency will provide a copy of the revised Notice to you or you appointed representative. You or your personal representative have the right to express complaints to the Agency and to the Secretary of DDHS if you or your representative believe that your rights have been violated. Any complaints to the Agency should be made in writing to Kim Porter, R.Ph., 1522 Main St., Petersburg, TX, 79250. The Agency 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 PERSONS

The Agency has designated Ronald Madison, Compliance Officer as its contact person for all issues regarding client privacy and your rights under the Federal Privacy standards. You may contact this person by writing to Ronald Madison, Compliance Officer, 10207 Indiana Avenue, Lubbock, Tx., 79423, or by phone at 806-747-8972.

The Agency has also designated Kim Porter, R.Ph., as the Privacy Complaint Officer. Any complaints about the Agency's privacy practices may also be made to Mr. Porter by contacting him by phone at 806-778-6539, or in writing at 1522 Main St., Petersburg, TX, 79250.

EFFECTIVE DATE

This Notice is effective November 26, 2007.

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, PLEASE CONTACT RONALD MADISON, COMPLIANCE OFFICER, 806-747-8972.