



## NOTICE OF PRIVACY PRACTICES

**THIS NOTICE OF PRIVACY PRACTICES (the “Notice”) DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THE INFORMATION. PLEASE REVIEW IT CAREFULLY.**

### **Purpose**

EXTEN (“Clinic”) recognizes the individual rights established by the “Privacy Rule” set forth in the HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (as amended, modified, and supplemented from time to time, “HIPAA”).

### **Definitions**

“Accounting of Disclosures” means a written statement documenting disclosures of an individual's PHI, which may include the date of disclosure, the name and address of the entity or person to whom the PHI was disclosed, a brief description of the PHI disclosed, and the purpose for the disclosure.

“Business Associate” means a person or entity (other than members of the Workforce) that performs on behalf of Covered Entity certain activities identified under HIPAA that require access to PHI.

“Covered Entity” means a health plan, healthcare clearinghouse, or healthcare provider who transmits PHI.

“Designated Record Set” means a grouping of PHI that is maintained, collected, or used by or for a Covered Entity to make decisions about an individual's care or payment for care. PHI in a Designated Record Set may include: (i) an individual's medical and billing records; (ii) enrollment, claims processing, and case management record systems; and/or (iii) identifiable data used to make decisions about individuals.

“Personal Representative” means a person who is, under applicable law, authorized to act on behalf of another individual in making decisions related to healthcare.

“PHI” means individually identifiable health information that was created, received, stored, or transmitted by a Covered Entity or one of its Business Associates in the provision of healthcare, healthcare operations, and/or payment for healthcare services.

“Workforce” means, as defined in HIPAA, employees, volunteers, trainees, and other persons whose work is under the direct control of a Covered Entity or a Business Associate of Covered Entity.

### **General**

Clinic uses and discloses PHI only as permitted under this NOTICE OF PRIVACY PRACTICES (the “Notice”) and certain additional uses and disclosures permitted by, or required under, applicable laws, which uses and disclosures include such purposes as treatment, quality of care assessment and improvement activities, evaluating the performance and qualifications of Providers, conducting medical and nursing training and education programs, conducting or arranging for medical review, ensuring compliance with legal and regulatory requirements, certain marketing permitted under applicable laws, and public health disclosures (such as reporting of certain communicable diseases as required by applicable laws). Further,

Clinic: (i) obtains the applicable individual's (or such individual's Personal Representative's) prior written consent for all other uses and disclosures not expressly permitted by applicable laws and this Notice, which consent such individual or such individual's Personal Representative may revoke at any time; and (ii) notifies an individual or such individual's Personal Representative if there is an impermissible disclosure of Client's unsecured PHI.

### **Policy**

1. This Notice informs individuals of their rights regarding PHI and how Clinic may use or disclose their PHI.

a. Clinic offers a copy of the Notice to individuals with whom it has a treatment relationship. This offer is made to an individual on or before the first date that the individual receives healthcare services, or as soon as is reasonably possible in other situations, like emergency treatment. Clinic also tries to document an individual's acknowledgement of an offer of a copy of the Notice.

b. Clinic posts the Notice on its website and also posts and makes available a paper copy of the Notice at its practice location. Patients and Personal Representatives can ask questions about the Notice or Clinic's use of PHI (or complain, without retaliation by Clinic, about any potential unpermitted use or disclosure of PHI) by either contacting: (i) Clinic at any of its locations or calling 208-309-8079 and requesting to speak with Clinic's manager; or (ii) the U.S. Department of Health & Human Services.

2. Clinic allows an individual (or a Personal Representative of such individual) access to the individual's PHI in a Designated Record Set.

a. Clinic permits an individual (or a Personal Representative of such individual) to access an individual's PHI at Clinic's practice location.

b. An individual (or a Personal Representative of such individual) may submit to Clinic a request for a copy of the individual's PHI.

c. Clinic does not restrict an individual's access (or the individual's Personal Representative's access) to the individual's PHI except in these circumstances:

- (i) When restricted by law or regulation;
- (ii) When the information requested is not maintained by Clinic as a Designated Record Set; or
- (iii) When an individual has agreed in writing to restrict the individual's own access to research-related information.

d. Workforce members may use, access, edit, or delete an individual's records only when necessary to complete their normal job duties. A Workforce member must use the work-

related access privileges to access an individual's records.

e. Clinic will try to accommodate an individual's request to access their PHI, or obtain paper or electronic copies of it, within a reasonable period of time, not to exceed the times specified in the Privacy Rule.

(1) Clinic may charge individuals a reasonable, cost-based fee for a paper copy of the individual's records, including only the cost of labor and supplies. If an individual requests a summary of their records, Clinic is entitled to charge the individual the cost of the labor to create the summary after providing the individual with advance notice of such cost. If an individual requests an electronic copy of their record, Clinic is entitled to charge the individual the cost of the labor for making the electronic copy plus the cost of any electronic media in which the electronic copy resides.

(2) Clinic will accommodate an individual's request for copies of his or her records in electronic format if Clinic can readily reproduce that PHI in the requested format and if that reproduction would not violate Clinic's security standards. If either of those conditions cannot be met, Clinic will provide the PHI in an alternative electronic form for the individual.

(3) If an individual requests, Clinic may transmit electronic copies of an individual's records directly to the individual or another recipient if three conditions are met:

- (i) If the individual verifies that the desired recipient is entitled to receive a copy of the records;
- (ii) Clinic can clearly identify the recipient; and
- (iii) Clinic can transmit the record using a method that meets Clinic's security standards.

3. Clinic allows individuals to request that their PHI be amended.

a. Clinic reviews and responds to each request by an individual to amend their PHI in the time prescribed by the Privacy Rule.

b. An individual's request to amend their PHI must be in writing and must state a reason supporting the request.

c. Clinic processes and maintains amendment requests (and amendments, if approved) as required by the Privacy Rule.

d. Clinic may deny an amendment request if the requested amendment:

- (i) Is not accurate and complete;
- (ii) Is not part of a Designated Record Set;
- (iii) Concerns PHI not available to the individual for inspection under applicable laws; or
- (iv) Was not created by Clinic, unless the originator of the information is no longer available to act on the request.

4. Clinic allows individuals to request restrictions on the use and disclosure of PHI and documents and retains restriction requests (and any actions taken on those requests) as required by law.

a. Clinic considers each individual's written request to restrict the use or disclosure of an individual's PHI for the following purposes:

- (i) To prevent the use or disclosure of an individual's PHI to carry out treatment, payment, or healthcare operations;
- (ii) To prevent the use and disclosure of an individual's PHI to the individual's health plan if: (a) the disclosure is for the purpose of carrying out payment or healthcare operation and is not otherwise required by law; and (b) the PHI pertains solely to a healthcare item or service for which the individual, or the individual's Personal Representative, has paid in full for the healthcare item or service; and
- (iii) To prevent the use and disclosure of an individual's PHI to a relative or any other person identified by the individual who is involved in the treatment or payment of the individual's healthcare or who would normally be notified in the case of an emergency.

b. Clinic reviews all restriction requests on a case-by-case basis based on the reason(s) for the request and Clinic's ability to fulfill the request.

(1) Except as otherwise set forth in this policy, Clinic will comply with a restriction it has approved.

(2) Clinic may terminate a restriction, if permitted under HIPAA, after Clinic has informed the individual that it is terminating the restriction.

5. Clinic strives to accommodate reasonable, written requests to receive confidential PHI communications from Clinic by alternative means or at alternative locations, subject, however, to the individual having provided Clinic with: (i) information on how payment for the individual's healthcare services will be handled; and (ii) an alternative address or method of contact.

6. Upon request, Clinic provides individuals with an Accounting of Disclosures as required by the Privacy Rule.

a. An individual will receive the first Accounting of Disclosures free. Clinic, however, may charge an individual a reasonable fee for each subsequent request for an Accounting of Disclosures within 12 months after another request by the individual. Before providing an individual with an Accounting of Disclosures, Clinic will inform the individual of any applicable fee for that Accounting of Disclosures.

7. Clinic does not request an individual to waive any rights under the Privacy Rule as a condition of treatment.

8. Clinic requires individuals and their Personal Representatives, if applicable, to provide verification of identity.

a. Clinic will treat Personal Representatives in accordance with the authority granted to them by applicable laws, regulations, and rules.

b. A Workforce member may elect to not treat a person as an individual's Personal Representative if the member believes, in exercising professional judgment, that the arrangement is not in the individual's best interest or would endanger the individual.

9. Clinic reserves the right to change the terms of the Notice from time to time and to make the provisions of the revised Notice effective for all PHI that Clinic maintains. Clinic will make available the revised Notice to individuals and their Personal Representatives at their next in-person visit to Clinic and on the website.