



# CARDIOVASCULAR CONSULTANTS HEART CENTER

Effective May 2010

1207 EAST HERNDON AVENUE, FRESNO CA 93720  
PHONE (559) 432-4303

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**Notice of Privacy Practices:** THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU MAY GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

Pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), you have a right to adequate notice of the uses and disclosures of your Protected Health Information ("PHI": information that discloses your identity or leads to disclosure of your identity) that may be made by Cardiovascular Consultants Heart Center. You are also entitled to notice of your rights as well as the duties of this Practice with respect to your Protected Health Information.

Cardiovascular Consultants Heart Center respects your right to privacy and understands that your medical information is personal to you. This Practice strives at all times to maintain the highest degree of integrity in its interactions with patients and the delivery of quality health care. Our practices are based on the sound current philosophy that Protected Health Information should not be used or disclosed when it is not necessary to satisfy a particular purpose or carry out a function.

In order to provide medical services to you, we create paper and electronic records about your health and the care we provide. Your Protected Health Information is confidential and this notice is intended to help you understand how our Practice utilizes and discloses your Protected Health Information and what rights you have with respect to your medical information. Cardiovascular Consultants Heart Center and its employees will at all times strive to maintain compliance with all laws, rules, regulations and requirements affecting the practice of medicine and the handling of patient information.

#### **Requirements by Law:**

Our Practice has the following duties with respect to your Protected Health Information:

1. We are required by law to maintain the privacy of your Protected Health Information.
2. We must provide you with notice of our legal duties and privacy practices with respect to Protected Health Information.
3. We must abide by the terms of the Notice of Privacy Practices that is currently in effect.

#### **How We May Use and Disclose Your Information**

The following describes how our Practice is permitted by law to share your Protected Health Information with others in order to provide you with medical care. This notice does not describe every use or disclosure our Practice makes; it is intended as a general overview.

#### **Medical Treatment:**

We may need to use and disclose your Protected Health Information to provide, coordinate, or manage your health care and any related services. For example, we may share information with other physicians, nurses or healthcare professionals to whom you have been referred to ensure that the physician has the necessary information to diagnose or treat you. We may also share information about you including X-rays, prescriptions and requests for lab work to health care providers who become involved in your care.

#### **Payment:**

We may need to disclose information about the treatment, procedures or care our Practice provided to you in order to bill and received payment for healthcare services we provided. We may share this information with you, an insurance company or any third party responsible for payment. We may also need to disclose Protected Health Information about you to your health plan and/or referring physician in order to obtain prior authorization for treatment, to determine whether payment for the treatment is covered by your plan or to facilitate payment of a referring physician.

#### **Healthcare Operations:**

We may use or disclose, as needed, your Protected Health Information in order to help us run our Practice more efficiently and provide better patient care. We may also need to use or disclose your Protected Health Information to Business Associates who need to use or disclose your information to provide a service for our Medical Practice. Our Business Associates could include a billing company, software vendors who provide assistance with data management on our behalf, or transcription services for the Practice.

#### **Required by Law:**

We may use or disclose your Protected Health Information to the extent that state, federal or local law requires the use or disclosure.

#### **Public Health Activities/Risks:**

Your medical information may be disclosed to a public health authority that is authorized by law to collect or receive such information for public health activities. This disclosure may be made for the purpose of controlling disease, injury or disability. In addition, disclosures may be made for public health activities in the following circumstances:

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1. To prevent or control disease, injury, or disability.
2. To report births or deaths.
3. To report child abuse or neglect.
4. To notify report reactions to medications or product defects.
5. To notify individuals of product or drug recalls.
6. To notify a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading the disease or condition.
7. To disclose Protected Health Information to a health oversight agency for activities authorized by law, such as audits, investigations, and inspections. Oversight agencies seeking this information include government agencies programs and civil rights laws.
8. If our Practice reasonably believes a person is the victim of abuse, neglect, or domestic violence, we may disclose Protected Health Information to the appropriate authority. We will only make this disclosure if you agree to the disclosure or we are required or authorized to do so by law without your permission.

## **Appointment Reminders or Treatment Alternatives:**

Our Practice may use and disclose medical information about you to provide you with reminders that you are due for care or to confirm an upcoming appointment. We may also utilize Protected Health Information to provide you with information or treatment alternatives or other health related benefits that may be of interest to you. We may contract you by phone, by fax or E-mail. We will make very effort to protect your privacy when leaving a message for you and reveal as little confidential information as possible. (i.e. leaving a message on your answering machine that others may hear).

## **Research:**

Under certain circumstances, our Practice may use or disclose your Protected Health Information to researchers when an Institutional Review Board that has reviewed the research proposal and established protocols to ensure the privacy of your Protected Health Information has approved their research. Our Practice may also disclose information about you in preparing to conduct research (i.e., to help them find patients who may be qualified to participate in a particular study), but your information will not leave our Practice. We will make all attempts to make your information non-identifiable, but we may not always be able to guarantee this. If however, the researcher will have access to information that will identify you, we will seek to obtain your permission (though we cannot guarantee this). We will always obtain your specific authorization if required by law.

## **To Avert Serious Threat to Health or Safety:**

If in good faith, our Practice believes that a use or disclosure of your medical information is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public, we may disclose your medical information.

## **Workers' Compensation:**

We may disclose your Protected Health Information as authorized to comply with Workers' Compensation laws and other similar legally established programs.

## **Health Oversight Activities:**

Your Protected Health Information may be disclosed to Federal, State or Local authorities as part of an investigation or government activity authorized by law. This may include audits, civil, administrative or criminal investigations, inspections, licensure or disciplinary actions or other activities necessary for the oversight of the health care system, government benefit programs and compliance with government benefit programs and compliance with government regulatory programs or civil rights laws.

## **Law Enforcement:**

We may disclose Protected Health Information, so long as applicable legal requirements are met, for law enforcement purposes. We may also disclose medical information about you in compliance with a court order, warrant or subpoena or summons issued by the court. We may also use such information to defend us in actions or threatened actions that may be brought against our Practice.

## **Coroners, Medical Examiners and Funeral Directors:**

We may release Protected Health Information to a coroner or medical examiner for the purposes of identification, determining the cause of death, or other duties authorized by law. We may also release medical information to funeral directors as necessary to carry out their duties with respect to the deceased.

## **Organ, Eye and Tissue Donation:**

If you are an organ donor, Protected Health Information may be disclosed to organ procurement organizations or other entities that facilitate tissue donation or transplantation.

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## **Inmates:**

If you are an inmate of a correctional institution or within the custody of law enforcement officials, we may disclose medical information about you to allow the institution to provide you with medical care, to protect the health and safety of yourself and others, or for the safety and security of the correctional institution. \*Other uses and disclosures will be made only with your written authorization and you make revoke your authorization at any time.

**PATIENT'S RIGHTS** You have the following rights with respect to your Protected Health Information:

### **Right to Receive Personal Health Information Confidentially.**

You have the right to receive confidential communications of your Protected Health Information by alternate means or at alternate locations. We will accommodate reasonable requests. We may also condition this accommodation by asking you for information as to how payment will be handled or specification of an alternative address or other method of contact. For example, if you would like for us only to communicate with you at home, and never at your workplace or to send information to you on your workplace e-mail, you may request this of our Practice. You must make this request in writing but do not need to disclose the reason for your request. We will attempt to accommodate all reasonable requests. Please be specific as to how or where you wish us to communicate with you.

### **Right to Inspect and Copy.**

You have the right to inspect and copy your medical record that has been created to treat you and is used to make decisions about your care. This includes medical and billing records. Records related to your care may also be disclosed to an authorized person such as a parent or guardian upon proper proof of a legitimate legal relationship. You must submit your request in writing to inspect and copy your records. If you would like to copy your records, mail or other minimal costs associated with your request.

Under federal law, however, you may not inspect or copy the following records; psychotherapy notes; information compiled in reasonable anticipation of, or use in, a civil, criminal, or administrative action or proceeding, and Protected Health Information that is subject to a law that prohibits access to Protected Health Information. Depending upon the circumstances, a decision to deny access may be reviewable. In some circumstances, you may have a right to have this decision reviewed. Please contact our Privacy Contact if you have questions about access to your medical record.

### **Right to Amend.**

If you think there is information in your record that may be inaccurate or incomplete, you have the right to request an amendment or clarification. Your request to make an amendment to your record must include the following and may be refused if the following elements are not met:

1. You must submit your request for an amendment in writing.
2. Your request should describe what you would like the amendment to say and your reasoning for why the change should be made.
3. The amendment must be dated, signed by you and notarized.

In certain cases, we may deny your request for an amendment. If we deny your request for an amendment, you have the right to file a statement of disagreement with us and we may prepare a rebuttal to your statement and will provide you with a copy of any such rebuttal. Please note that we will not change information created by third parties, if the information is not part of the medical information kept by our Practice or we believe the information you provided to us is inaccurate or incomplete. We reserve the right to deny your request if we have reason to believe the information is accurate.

### **Right to Restrict Uses and Disclosures.**

You have the right to request restrictions on how our Practice makes certain uses and disclosures of your Protected Health Information for treatment, payment or healthcare operations. You may also request that any part of your Protected Health Information not be disclosed to family members or friends who may be involved in your care. You may also restrict certain types of marketing materials related to your care or treatment. Your request must be in writing and include the following:

1. The information that you would like us to limit.
2. Whether you want to limit our use or disclosure or both
3. To whom you want the limits to apply (i.e. disclosures to parents, children, spouse, etc.

Your physician is not required to agree to a restriction that you may request. If your physician believes it is in your best interest to permit use and disclosure of your Protected Health Information, your Protected Health Information will not be restricted. If your physician does agree to the requested restriction, we may not use or disclose your protected health information in violation of that restriction unless it is needed to provide emergency treatment.

### **Right to an Accounting of Uses and Disclosures.**

You have the right to receive an accounting of the disclosures of your Protected Health Information that our Practice makes for purposes other than treatment, payment or healthcare operations. All requests must be submitted in writing. You have the right to receive specific information regarding these disclosures that occurred after April 14, 2003. One request in a twelve-month period will be provided to you at no charge. We may charge you a fee for all additional requests within a twelve-month period. We will notify you as to the cost of fulfilling your additional request and provide you with the opportunity to modify it before fees are due.

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## **Right to Copy of Notice.**

You have a right to obtain a copy of our Notice of Privacy Practices upon request at any time. Please call us at (559) 432-4303. You may also request a copy at the reception desk.

## **Changes to this Notice.**

Cardiovascular Consultants Heart Center is required to abide by the terms of this notice, which is currently in effect. We reserve the right to change the terms of this notice and to make the new notice provisions effective for all Protected Health Information we already have about you and may obtain in the future. If we change our notice, we will post notice of this change 30 days prior to making the change effective. The Notice will be posted in our offices. All revised notices will be promptly posted and made available to you in our waiting room. You may also request a current Notice when you visit our office. Changes to our notice will only be effective on the date that is reflected at the bottom of the last page on the revised Notice.

## **Practice Contact.**

If you would like more information about this Notice, please contact the Office Manager, **Susan Morrow**, if you have any complaints regarding our Privacy Practices, please address your complaint to the Office Manager in writing and follow the designated complaint process below.

## **Complaints.**

If you believe your privacy right may have been violated or you become aware of a privacy concern you would like to report to our practice, please follow the complaint practice outlined below:

1. Send a written letter to the practice contact named above, including the following information:
  - a. Name and Address
  - b. Social Security Number or Patient Identification Number.
  - c. A detailed description of the circumstances surrounding your complaint including the dates, times and any other relevant information that will help us to understand your complaint.
  - d. Contact information
  - e. Signature and Date
2. Please allow 14 business days for an answer from our practice regarding your complaint.
3. If you are not satisfied with our response to your complaint, you may notify the secretary of the Department of Health and Human Services.

Please note, all concerns or complaints regarding your Protected Health Information are important to our Practice. There will be not retaliation against you for filing a complaint with our office.

## **Additional Privacy Protections.**

Our practice is committed to protecting your privacy and the proper usage and disclosures of your Protected Health Information.