

## HIPAA PRIVACY NOTICE

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.

### INTRODUCTION

St. Joseph's Home, Ogdensburg, New York understands that your medical information is private and confidential. Further, we are required by law to maintain the privacy of "protected health information" (PHI). PHI includes any individually identifiable information that we obtain from you or others that relates to you or others that relates to your past, present or future physical or mental health, the health care you have received or payment for your health care.

As required by law, this notice provides you with information about your rights and our legal duties and privacy practices with respect to the privacy of PHI. This notice also discusses the uses and disclosures we will make of your protected health information. We must comply with the provisions of this notice as currently in effect, although we reserve the right to change the terms of this notice from time to time and to make the revised notice effective for all PHI we maintain. You can always request a written copy of our most current privacy notice from the Director of Social Services at St. Joseph's Home or you can access it on our website at [www.stjh.org](http://www.stjh.org).

### PERMITTED USES AND DISCLOSURES

We can disclose your PHI for purposes of treatment, payment and healthcare operations. For each of these categories of uses and disclosures, we have provided a description and an example below. However, not every particular use or disclosure in every category will be listed.

1. Treatment means the provision, coordination or management of your health care, including consultations between health care providers relating to your care and referrals for health care from one health care provider to another. For example, a doctor treating you for an injury may need to know if you have diabetes because diabetes may slow the healing process. In addition the doctor may need to contact a physical therapist to create the exercise regimen appropriate for your treatment.
2. Payment means the activities we undertake to obtain reimbursement for the health care provided to you, including, billing, collections, claims management, determinations of eligibility and coverage and other utilization review activities. For example, prior to providing health care services, we may need to provide information to your Third Party Payor about your medical condition to determine whether the proposed course of treatment will be covered. When we subsequently bill the Third Party Payor for the services rendered to you we can provide the Third Party Payor with information regarding your care if necessary to obtain payment. Federal or State law may require us to obtain a written release from you prior to disclosing certain specially PHI for payment purposes, and we will ask you to sign a release when necessary under applicable law.
3. Health care operations means the support functions of the Nursing Home related to treatment and payment, such as quality assurance activities, case management, receiving and responding to resident comments and complaints, physician reviews, compliance programs, audits business planning, development, management and administrative activities. For example, we may use your PHI to evaluate the performance of our staff when caring for you. We may also combine health information about many residents to decide what additional services we should offer, what services are not needed and whether certain new treatments are effective. We may also disclose information to doctors, nurses, technicians, medical students and others for review and learning purposes. In addition, we may remove information that identifies, you from your resident information so that others can use the de-identified information to study health care and health care delivery without learning who you are.

## OTHER USES AND DISCLOSURES OF PHI

In addition to using and disclosing your information for treatment, payment and health care operations we may use your PHI in the following ways:

1. We may contact you to provide appointment reminders for treatment or medical care.
2. We may contact you to tell you about or recommend possible treatment alternatives or other health related benefits and services that may be of interest to you.
3. We may disclose to your family or friends or any other individual identified by you PHI directly related to such person's involvement in your care or the payment for your care. We may use or disclose your PHI to notify, or assist in the notification of, a family member, a personal representative, or another person responsible for your care, of your location, general condition or death. If you are present or otherwise available, we will give you an opportunity to object to these disclosures, and we will not make these disclosures if you object. If you are not present or otherwise available, we will determine whether a disclosure to your family or friends is in your best interest taking into account the circumstances and based upon our professional judgment.
4. We may include certain limited information about you in the Nursing Home directory , on bulletin boards or newspaper (e.g. your picture at an activity) while you are a resident at the Nursing Home. This information may include your name, location in the Nursing Home, your telephone number, your general condition (e.g. fair, stable, etc.) and your religious affiliation. The directory information, except for your religious affiliation, may be released to people who ask for you by name. Your religious affiliation may be given to members of the clergy, such as a priest or rabbi even if they do not ask for you by name. This will allow your family, friends and clergy to visit you in the nursing Home and generally know how you are doing. You may request that your information not be listed in the directory or in the newspaper.
5. When permitted by law, we may coordinate our uses and disclosures of PHI with public or private entities authorized by law or by charter to assist in disaster relief efforts.
6. We will allow your family and friends to act on your behalf to pick-up filled prescriptions, medical supplies, X-rays, and similar forms of PHI when we determine, in our professional judgment that it is in your best interest to make such disclosures.
7. Subject to applicable law, we may make incidental uses and disclosures of PHI. Incidental uses and disclosures are by-products of otherwise permitted uses or disclosures which are limited in nature and cannot be reasonably prevented.
8. We may contact you or your family/friends as part of our fund-raising and marketing efforts as permitted by applicable law.
9. We may use or disclose your PHI for research purposes, subject to the requirements of applicable law. For example, a research project may involve comparisons of the health and recovery of all residents who received a particular medication. All research projects are subject to a special approval process, which balances research needs with a resident's need for privacy. When required, we will obtain a written authorization from you prior to using your PHI for research.
10. We will use or disclose PHI about you when required to do so by applicable law. (Note: In accordance with applicable law, we may disclose your PHI to your employer if you have a work related illness or injury. You will be notified of these disclosures by your employer or the Nursing Home as required by applicable law.)

## SPECIAL SITUATIONS

Subject to the requirements of applicable law, we will make the following uses and disclosures of your protected health information:

1. Organ and Tissue Donation. If you are an organ donor, we may release PHI to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation.

2. **Military and Veterans.** If you are a member of the Armed Forces, we may release health information about you as required by military command authorities. We may also release PHI about foreign military personnel to the appropriate foreign military authority.
3. **Worker's Compensation.** We may release PHI about you for programs that provide benefits for work related injuries or illnesses.
4. **Public Health Activities.** We may disclose PHI about you for public health activities including disclosures:
  1. to prevent or control disease, injury or disability
  2. to report births and deaths
  3. to report child abuse or neglect to persons subject to the jurisdiction of the Food and Drug Administration (FDA) for activities related to the quality, safety or effectiveness of FDA regulated products or services and to report reactions to medications or problems with products
  4. to notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition
  5. to notify the appropriate government authority if we believe that an adult resident has been the victim of abuse, neglect or domestic violence. We will only make this disclosure if the resident agrees or when required or authorized by law.
5. **Health Oversight Activities.** We may disclose PHI to Federal or State Agencies that oversee our activities. These activities are necessary for the government to monitor the health care system, government benefit programs, and compliance with civil rights laws or regulatory program standards.
6. **Lawsuits and disputes.** If you are involved in a lawsuit or a dispute, we may disclose PHI about you in response to a court or administrative order. We may also disclose PHI about you in response to a subpoena, discovery request, or other lawful process.
7. **Law Enforcement.** We may release PHI if asked to do so by a law enforcement official:
  1. In response to a court order, subpoena, warrant, summons or similar process
  2. To identify or locate a suspect, fugitive, material witness, or missing person
  3. About the victim of a crime under certain limited circumstances
  4. About a death we believe may be the result of criminal conduct
  5. About criminal conduct on our premises
  6. In emergency circumstances to report a crime, the location of the crime or the victims or the identity, description or location of the person who committed the crime.
8. **Coroners, Medical Examiners and Funeral Directors.** We may release PHI to a coroner or medical examiner. Such disclosures may be necessary, for example, to identify a deceased person or determine the cause of death. We may also release PHI about residents to funeral directors as necessary to carry out their duties.
9. **National Security and Intelligence Activities.** We may release PHI about you to authorized Federal officials for intelligence, counter intelligence, or other national security activities authorized by law.

10. Protective Services for the President and Others. We may disclose PHI about you to authorized Federal officials so they may provide protection to the President or other authorized persons or foreign heads of state or may conduct special investigations.
11. Inmates. If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may release PHI about you to the correctional institution or law enforcement official. This release would be necessary (1) for the institution to provide you with health care, (2) to protect your health and safety or the health and safety of others, or (3) for the safety and security of the correctional institution.
12. Serious Threats. As permitted by applicable law and standards of ethical conduct, we may use and disclose PHI if we, in good faith, believe that the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public or is necessary for law enforcement authorities to identify or apprehend an individual.  
(Note: HIV related information, genetic information, alcohol and/or substance abuse records, mental health records and other specially PHI may enjoy certain special confidentiality protections under applicable State and Federal law. Any disclosures of these types of records will be subject to these special protections.)