

**Jerry Beaird II, CMT**

**Notice of Privacy Practices**

***EFFECTIVE DATE OF THIS NOTICE: January 1, 2014***

**THIS NOTICE DESCRIBES HOW HEALTH INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THAT INFORMATION. PLEASE READ THIS NOTICE CAREFULLY.**

Jerry Beaird II, CMT in accordance with the Health insurance Portability and Accountability Act (HIPAA) Privacy Rule, (the "Privacy Rule") and applicable state law, is committed to protecting the privacy of your protected health information ("PHI"). PHI includes information about your health condition and the care and treatment you receive from us. We understand that information about your health is personal. This Notice explains how your PHI may be used and disclosed to third parties. This Notice also details your rights regarding your PHI. We are required by law to maintain the privacy of your PHI and to provide you with this Privacy Notice detailing our legal duties and practices with respect to your PHI. We are also required by law to abide by the terms of this Notice.

The terms of this Notice apply to all records containing your PHI that are created or retained by our practice. We reserve the right to revise or amend this Notice of Privacy Practices. Any revision or amendment to this notice will be effective for all of your records that our practice has created or maintained in the past, and for any of your records that we may create or maintain in the future. Our practice will post a copy of our current Notice in our office at all times, and you may request a copy of our most current Notice at any time.

**HOW THE PRACTICE MAY USE AND DISCLOSE YOUR PROTECTED HEALTH INFORMATION**

The Practice, in accordance with this Notice and without asking for your express consent or authorization, may use and disclose your PHI for the purpose of:

**For Treatment-** We may use your PHI to provide you with treatment. The information in your medical records will be used to determine which treatment option best addresses your health needs. The treatment selected will be documented in your medical records so that other health care professionals can make informed decisions about your care. We may disclose your PHI to doctors, nurses, technicians, clinicians, medical students, hospitals and other health facilities involved in or consulting in your care. We may also disclose information about you to people outside the practice, such as other health care providers involved in providing treatment to you, and to people who may be involved in your care, such as family members, clergy, or others we use to provide services that are part of your care. If we refer you to another health care provider, we would, as part of the referral process share PHI information about you. For example, if you were referred to a specialist, we would contact the doctor's office and provide such information about you to them so that they could provide services to you.

**For Payment-** Our practice may use and disclose your PHI in order to bill and collect payment for the services and items you may receive from us. For example, we may contact your health insurer to certify that you are eligible for benefits (and for what range

of benefits), and we may provide your insurer with details regarding your treatment to determine if your insurer will cover, or pay for, your treatment and we may need to give your insurance company information about the health care services we provided to you so your insurance company will pay us for those services or reimburse you for amounts you have paid. We also may use and disclose your PHI to obtain payment from third parties that may be responsible for such costs, such as family members. Also, we may use your PHI to bill you directly for services and items. We may disclose your PHI to other health care providers and entities to assist in their billing and collection efforts. We may use and disclose your PHI so we can be paid for the services we provide to you. We also may need to provide your insurance company or a government program, such as Medicare or Medicaid, with information about your condition and the health care you need to receive prior approval or to determine whether your plan will cover the services.

**For Health Care Operations-**We may use and disclose your PHI for our own health care operations and the operations of other individuals or organizations involved in providing your care. This is necessary for us to operate and to make sure that our patients receive quality health care or to conduct cost-management and business planning activities for our practice. For example, we may use information about you to review the services we provide and the performance of our employees in caring for you. We may disclose your PHI to other health care providers and entities to assist in their health care operations.

#### **OTHER USE AND DISCLOSURES THAT ARE REQUIRED OR PERMITTED BY LAW**

The practice may also use and disclose your PHI without your consent or authorization in the following instances:

**Appointment Reminders-** We may use and disclose your PHI to remind you by telephone, e-mail or mail about appointments you have with us, annual exams, or to follow up on missed or cancelled appointments.

**Individuals Involved in Your Care or Payment for Your Care-** We may disclose to a family member, other relative, a close friend, or any other person identified by you. For example, a parent or guardian may ask that a babysitter take their child to the pediatrician's office for treatment of a cold. In this example, the babysitter may have access to the child's medical information. Certain limited PHI that is directly related to that person's involvement with your care or payment for your care. We may use or disclose your PHI to notify those persons of your location or general condition. This includes in the event of your death unless you have specifically instructed us otherwise. If you are unable to specifically agree or object, we may use our best judgment when communicating with your family and others.

**Non-Medical Communications-**Our practice may use your PHI to contact you for non-medical reasons. For example, we may send you a greeting card via mail.

**Treatment Options-** Our practice may use and disclose your PHI to inform you of potential treatment options or alternatives. We may treat you in an open treatment area and some incidental PHI may be overheard by other patients being treated at the same time.

**Health-Related Benefits and Services-** Our practice may use and disclose your PHI to inform you of health-related benefits or services that may be of interest to you. For example, we may send you newsletters that may include information about our practice, health-related issues and products and services.

**Disclosures Required By Law-** Our practice will use and disclose your PHI when we are required to do so by federal, state or local law.

**Disaster Relief-** We also may use or disclose your PHI to an authorized public or private entity to assist in disaster relief efforts. This will be done to coordinate information with those organizations in notifying a family member, other relative, close friend or other individual of your location and general condition.

**De-identified Information-** The Practice may use and disclose health information that may be related to your care but does not identify you and cannot be used to identify you.

**Business Associate-** The Practice may use and disclose PHI to one or more of its business associates if the Practice obtains satisfactory written assurance, in accordance with applicable law, that the business associate will appropriately safeguard your PHI. A business associate is an entity that assists the Practice in undertaking some essential function, such as a billing company that assists the office in submitting claims for payment to insurance companies.

#### **USE AND DISCLOSURE OF YOUR PHI IN CERTAIN SPECIAL CIRCUMSTANCES**

**Public Health and Safety Activities-** The Practice may disclose your PHI about you for public health activities and purposes. This includes reporting information to a public health authority that is authorized by law to collect or receive the information. These activities generally include:

- To prevent or control disease, injury or disability
- To report births or deaths
- To report child, elder, or dependent adult abuse or neglect
- To report reactions to medications or problems with products or devices
- To notify people of recalls of products they may be using
- 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
- Notifying your employer under limited circumstances related primarily to workplace injury or illness or medical surveillance.

**Victims of Abuse, Neglect or Domestic Violence-**We may disclose your PHI to a government authority authorized by law to receive reports of abuse, neglect, or domestic violence, if we believe an adult or child is a victim of abuse, neglect, or domestic violence. This will occur to the extent the disclosure is (a) required by law, (b) agreed to by you, (c) authorized by law and we believe the disclosure is necessary to prevent serious harm, or, (d) if you are incapacitated and certain other conditions are met, a law enforcement or other public official represents that immediate enforcement activity depends on the disclosure.

**Health Oversight Activities-** We may disclose your PHI to a health oversight agency for activities authorized by law, including audits, investigations, inspections, licensure or disciplinary actions. These and similar types of activities are necessary for appropriate oversight agencies to monitor the nation's health care system, government benefit programs, and for the enforcement of civil rights laws.

**Judicial and Administrative Proceedings-** We may disclose your PHI in response to a court or administrative order. We also may disclose information about you in response to a subpoena, discovery request, or other legal process but only if efforts have been made to tell you about the request or to obtain an order protecting the information to be disclosed.

**Disclosures for Law Enforcement Purposes-** We may disclose your PHI to law enforcement officials for these purposes:

- As required by law
- In response to a court, grand jury or administrative order, warrant or subpoena
- To identify or locate a suspect, fugitive, material witness or missing person
- About an actual or suspected victim of a crime if, under certain limited circumstances, we are unable to obtain that person's agreement
- To alert a potential victim or victims or intending harm ("duty to warn")
- To alert law enforcement officials to a death if we suspect the death may have resulted from criminal conduct
- About crimes that occur at our facilities
- To report a crime, a victim of a crime or person who committed a crime in emergency circumstances (including the location or victim(s) of the crime, or the description, identity or location of the perpetrator)

**To Avert Serious Threat to Health or Safety-** We will use and disclose your PHI when we have a "duty to report" under state or federal law because we believe that it is necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure would be to help prevent a threat.

**Coroners, Medical Examiners and Funeral Directors-** We may disclose your PHI to a coroner or medical examiner for purposes such as identifying a deceased person and determining cause of death. We also may disclose information to funeral directors so they can carry out their duties.

**Organ, Eye or Tissue Donation-** To facilitate organ, eye or tissue donation and transplantation, we may disclose your PHI to organizations that handle organ procurement, banking or transplantation if you are an organ donor.

**Worker's Compensation-** We may disclose your PHI to the extent necessary to comply with worker's compensation and similar laws that provide benefits for work-related injuries or illness without regard to fault.

**Military-** Our practice may disclose your PHI if you are a member of U.S. or foreign military forces (including veterans) and if required by the appropriate military command authorities.

**National Security-**Our practice may disclose your PHI to federal officials for intelligence, counter-intelligence and national security activities authorized by law. We also may disclose your PHI to federal officials in order to protect the President, other officials or foreign heads of state, or to conduct investigations.

**Research-** We may use and/or disclose your PHI for research projects that are the subject to a special review process. If researchers are allowed access to information that identifies who you are, we will ask for your permission. We will obtain your written authorization to use your PHI for research purposes except when an Internal Review Board or Privacy Board has determined that the waiver of your authorization satisfies the following: (i) the use or disclosure involves no more than a minimal risk to

your privacy based on the following: (A) an adequate plan to protect the identifiers from improper use and disclosure; (B) an adequate plan to destroy the identifiers at the earliest opportunity consistent with the research (unless there is a health or research justification for retaining the identifiers or such retention is otherwise required by law); and (C) adequate written assurances that the PHI will not be re-used or disclosed to any other person or entity (except as required by law) for authorized oversight of the research study, or for other research for which the use or disclosure would be permitted; (ii) the research could not practicably be conducted without the waiver; and (iii) the research could not practicably be conducted without access to and use of the PHI

**Inmates-** Our practice may disclose your PHI to correctional institutions or law enforcement officials if you are an inmate or under the custody of a law enforcement official. Disclosure for these purposes would be necessary: (a) for the institution to provide health care services to you, (b) for the safety and security of the institution, and/or (c) to protect your health and safety or the health and safety of other individuals.

**Fundraising-** We may contact you with respect to fundraising campaigns. If you do not wish to be contacted for fundraising campaigns, please notify our Privacy Officer in writing.

#### **AUTHORIZATION**

The following uses and/or disclosures specifically require your express written permission:

**Marketing Purposes-** We will not use or disclose your PHI for marketing purposes for which we have accepted payment without your express written permission. However, we may contact you with information about products, services or treatment alternatives directly related to your treatment and care.

**Sale of Health Information-** We will not sell your PHI without your written authorization. If you do authorize such a sale, the authorization will disclose that we will receive compensation for the information that you have authorized us to sell. You have the right to revoke the authorization at any time, which will halt any future sale.

Uses and/or disclosures other than those described in this Notice will be made only with your written authorization. If you do authorize a use and/or disclosure, you have the right to revoke that authorization at any time by submitting a revocation in writing to our Privacy Officer.

However, revocation cannot be retroactive and will only impact uses and/or disclosures after the date of revocation.

#### **YOUR RIGHTS**

##### **Right to Revoke Authorization and Right to Provide an Authorization for Other**

**Uses and Disclosures-** You have the right to revoke any Authorization or consent you have given to the Practice, at any time. To request a revocation, you must submit a written request to the Practice's Privacy Officer. Our practice will obtain your written authorization for uses and disclosures that are not identified by this notice or permitted by applicable law. Any authorization you provide to us regarding the use and disclosure of your PHI may be revoked at any time in writing. After you revoke your authorization, we will no longer use or disclose your PHI for the reasons described in the authorization. Please note we are required to retain records of your care.

**Right to Request Restrictions-** You have the right to request that we restrict the uses or disclosures of your information for treatment, payment or healthcare operations. You

may also request that we limit the information we share about you with a relative or friend of yours. You also have the right to restrict disclosure of information to your commercial health insurance plan regarding services or products that you paid for in full, out-of-pocket and we will abide by that request unless we are legally obligated to do so. ONLY if you pay for a service or health care item out-of-pocket, in full, at the time of service, can we comply with your request not to share that information for the purpose of payment or our operations with your health insurer. (i.e.-comply with your request not to file your claims to your insurance company). Otherwise, we will say “yes” unless a law requires us to share that information.

We are not required to agree to any other requested restriction. If we agree, we will follow your request unless the information is needed to a) give you emergency treatment, b) report to the Department of Health and Human Services, or c) the disclosure is described in the “Uses and Disclosures That Are Required or Permitted by Law” section. To request a restriction, you must have your request in writing to the Practice’s Privacy Officer. You must tell us:

- a) what information you want to limit
- b) whether you want to limit use or disclosure or both and
- c) to whom you want the limits to apply

Either you or we can terminate restrictions at a later date.

**Right to Receive Confidential Communications-** You have the right to request that we communicate your PHI in a certain way or at a certain place. For example, you can ask that we only contact you at home or at work. If you want to request confidential communications you must do so in writing to our Practice’s Privacy Officer and explain how or where you can be contacted. You do not need to give us a reason for your request. We will accommodate all reasonable requests.

**Right to Inspect and Copy-** You have the right to inspect and request copies of your information.

To inspect or copy your information, you may either complete an Authorization to Release/Obtain Information form or write a letter of request, stating the type of information to be released, the date(s) of service being requested, the purpose of the request, and whether you wish to review the record or receive copies of the requested information in your preferred format. We will abide by your request in the format you have requested, if we are able to do so. If we cannot provide your records to you in the requested format, we will attempt to provide them in an alternative format that you agree to. You may also request that your records be sent to another person that you have designated in writing. Direct this request to the Practice’s Privacy Officer. You may be charged a fee for the cost of copying, mailing or other expenses related with your request. We may deny your request to inspect and copy information in a few limited situations. If your request is denied, you may ask for our decision to be reviewed. The Practice will choose a licensed health care professional to review your request and the denial. The person conducting the review will not be the person who denied your request. We will comply with the outcome of that review.

**Right to Amend-** If you feel that your PHI is incorrect, you have the right to ask us to amend it, for as long as the information is maintained by us. To request an amendment, you must submit your request in writing to the Practice’s Privacy Officer. You must provide a reason for the amendment.

We may deny your request for an amendment if it is not in writing or does not include a reason for wanting the amendment. We may also deny your request if the information: a) was not created by us, unless the person or entity that created the information is no longer available to amend the information, b) is not part of the information maintained by the Practice, c) is not information that you would be permitted to inspect and copy or d) is accurate and complete.

If your request is granted the Practice will make the appropriate changes and inform you and others, as needed or required. If we deny your request, we will explain the denial in writing to you and explain any further steps you may wish to take.

**Right to an Accounting of Disclosures-** You have the right to request an accounting of disclosures. This is a list of certain disclosures we have made regarding your PHI. You can ask for a list (accounting) of the times we've shared your health information for six years prior to the date you ask, who we shared it with, and why. To request an accounting of disclosures, you must write to the Practice's Privacy Officer. Your request must state a time period for the disclosures. The time period may be for up to six years prior to the date on which you request the list, but may not include disclosures made before April 14, 2003.

There is no charge for the first list we provide to you in any 12-month period. For additional lists, we may charge you for the cost of providing the list. If there will be a charge, we will notify you of the cost in advance. You may withdraw or change your request to avoid or reduce the fee.

Certain types of disclosures are not included in such an accounting. These include disclosures made for treatment, payment or healthcare operations; disclosures made to you or for our facility directory; disclosures made with your authorization; disclosures for national security or intelligence purposes or to correctional institutions or law enforcement officials in some circumstances.

**Right to a Paper Copy of this Notice-** You have the right to receive a paper copy of this Notice of Privacy Practices, even if you have agreed to receive this Notice electronically. You may request a paper copy of this Notice at any time. To obtain a paper copy of this Notice, you can print it from our website ([www.shorepointchiro.com](http://www.shorepointchiro.com)) or contact our Practice's Privacy Officer at 586-776-4000.

**Right to File a Complaint-** If you believe your privacy rights have been violated, you may file a complaint with our practice or the Secretary of the Department of Health and Human Services. To file a complaint with our practice, you must contact the Practice's Privacy Officer. All complaints must be submitted in writing. You will not be penalized for filing a complaint. We encourage your feedback and we will not retaliate against you in any way for the filing of a complaint.

To obtain more information about your privacy rights or if you have questions about your privacy rights you may contact the Practice's Privacy Officer as follows:

Practice Name: Jerry Beaird II, CMT  
Address: 30838 Schoenherr Rd.  
Warren, Michigan 48088  
Telephone No: 586-776-4000  
Privacy Officer: Sharon Hempel

This office reserves the right to change this Notice and make the revised Notice effective for all health information that we had at the time, and any information we create or receive in the future. We will distribute any revised Notice to you prior to implementation.

I acknowledge receipt of a copy of this Notice, and my understanding and my agreement to its terms.

Patient Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_



U.S Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

**From the H.H.S. website...** *(for patients- explaining the Privacy Notice from their perspective)*

## **Notice of Privacy Practices**

### **Why you are receiving a Notice from your doctors and health plan**

Your health care provider and health plan must give you a notice that tells you how they may use and share your health information and how you can exercise your health privacy rights. In most cases, you should get this notice on your first visit to a provider or in the mail from your health insurer, and you can ask for a copy at any time. The provider or health plan cannot use or disclose information in a way that is not consistent with their notice.

### **Why you are asked to “sign” a form**

The law requires your doctor, hospital, or other health care provider you see in person to ask you to state in writing that you received the notice. Often, that means the doctor will ask you to sign a form stating that you received the notice that day.

- The law does not require you to sign the “acknowledgement of receipt of the notice.”
- Signing does not mean that you agreed to any special uses or disclosures of your health records.
- Refusing to sign the acknowledgement does not prevent the entity from using or disclosing health information as the Rule permits it to do.
- If you refuse to sign the acknowledgement, the provider must keep a record that they failed to obtain your acknowledgement.

### **What is in the Notice**

The notice must describe:

- The ways that the Privacy Rule allows the covered entity to use and disclose protected health information. It must also explain that the entity will get your permission, or authorization, before using your health records for any other reason.
- The covered entity’s duties to protect health information privacy.
- Your privacy rights, including the right to complain to HHS and to the covered entity if you believe your privacy rights have been violated.
- How to contact the entity for more information and to make a complaint.

## **When and how you can receive a Notice of Privacy Practices**

- Most covered health care providers must give notice to their patients at the patient's first service encounter (usually at your first appointment). In emergency treatment situations, the provider must give the patient the notice as soon as possible after the emergency. It must also post the notice in a clear and easy to find location where patients are able to read it.
- A health plan must give its notice to each new enrollee at enrollment, and send a reminder to every enrollee at least once every three years that the notice is available upon request. A health plan can give the notice to the "named insured," that is, the subscriber for coverage. It does not also have to give separate notices to any covered spouses and dependents.
- A covered entity must give a copy of the notice to any one who asks for one. If a covered entity has a web site for customers, it must post its notice in an obvious spot there.