

# **ABAY NEUROSCIENCE CENTER, P.A.**

## **Notice of Privacy Practices for Protected Health Information**

*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*

If you consent, Abay Neuroscience Center is permitted by federal privacy laws to make uses and disclosures of your health information for purposes of treatment, payment, and health care operations. Protected health information is the information we create and obtain in providing our services to you. Such information may include documenting your symptoms, examination and test results, diagnoses, treatment, and applying for future care or treatment. It also includes billing documents for those services.

### **Examples of uses of your health information for treatment purposes are:**

- A nurse obtains treatment information about you and records it in a health record.
- During the course of your treatment, the physician determines he/she will need to consult with another specialist in the area. He/she will share the information with such specialist and obtain his/her input.

### **An example of use of your health information for payment purposes:**

- We submit a request for payment to your health insurance company. The health insurance company requests information from us regarding medical care given. We will provide information to them about you and the care given.

### **An example of use of your health information for health care operations:**

- The state licensing authority wants to review records to assure that we have acted consistent with state law regarding your care. In doing so, it wants to take a sampling which includes review of your chart. At the licensing authority's request, we will provide it with a copy of your record.

### **Your Health Information Rights**

The health record we maintain and billing records are the physical property of Abay Neuroscience Center. The information in it, however, belongs to you. You have a right to:

- Request a restriction on certain uses and disclosures of your health information by delivering the request in writing to our office--we are not required to grant the request but we will comply with any request granted;
- Obtain a paper copy of the Notice of Privacy Practices for Protected Health Information ("Notice") by making a request at our office;

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- Request that you be allowed to inspect and copy your health record and billing record, you may exercise this right by delivering the request in writing to our office using the form we provide to you upon request;
- Appeal a denial of access to your protected health information except in certain circumstances;
- Request that your health care record be amended to correct incomplete or incorrect information by delivering a written request to our office using the form we provide to you upon request;
- File a statement of disagreement if your amendment is denied, and require that the request for amendment and any denial be attached in all future disclosures of your protected health information;
- Obtain an accounting of disclosures of your health information as required to be maintained by law by delivering a written request to our office using the form we provide to you upon request; an accounting will not include internal uses of information for treatment, payment, or operations, disclosures made to you or made at your request, or disclosures made to family members or friends in the course of providing care;
- Request that communication of your health information be made by alternative means or at an alternative location by delivering the request in writing to our office using the form we give you upon request; and,
- Revoke authorizations that you made previously to use or disclose information (except to the extent information or action has already been taken) by delivering a written revocation to our office.

You have a right to review this Notice before signing the consent authorizing use and disclosure of your protected health information for treatment, payment, and health care operations purposes.

If you want to exercise any of the above rights, please contact Ryan Wallace, Abay Neuroscience Center, P.A., 3305 East Douglas, Suite 101, Wichita, Kansas 67218, (316) 685-2525, in person or in writing, during normal hours. He will provide you with assistance on the steps to take to exercise your rights.

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### **Our Responsibilities**

Abay Neuroscience Center is required to:

- Maintain the privacy of your health information as required by law;
- Provide you with a notice as to our duties and privacy practices as to the information we collect and maintain about you;
- Abide by the terms of this Notice;
- Notify you if we cannot accommodate a requested restriction or request; and,
- Accommodate your reasonable requests regarding methods to communicate health information with you.

We reserve the right to amend, change, or eliminate provisions in our privacy practices and access practices and to enact new provisions regarding the protected health information we maintain. If our information practices change, we will amend our Notice. You are entitled to receive a revised copy of the Notice by calling and requesting a copy of our "Notice" or by visiting our office and picking up a copy.

### **To Request Information or File a Complaint**

If you have questions, would like additional information, or want to report a problem regarding the handling of your information, you may contact Ryan Wallace, Abay Neuroscience Center, P.A., (316) 685-2525.

Additionally, if you believe your privacy rights have been violated, you may file a written complaint at our office by delivering the written complaint to Ryan Wallace, Abay Neuroscience Center, P.A., 3305 East Douglas, Suite 101, Wichita, Kansas 67218. You may also file a complaint by mailing it or e-mailing it to the Secretary of Health and Human Services whose street address and e-mail address is The U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Washington, D.C. 20201, [hhsmail@os.dhhs.gov](mailto:hhsmail@os.dhhs.gov).

- We cannot, and will not, require you to waive the right to file a complaint with the Secretary of Health and Human Services (HHS) as a condition of receiving treatment from Abay Neuroscience Center.
- We cannot and will not retaliate against you for filing a complaint with the Secretary.

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## **Notice of Privacy Practices for Protected Health Information** *continued*

### **Other Disclosures and Uses**

#### **Business Associates**

- We have business associates with whom we may share your protected health information. For example, in preparing our annual financial statement, auditors may need to review samples of the medical care given. We may disclose your health information to the accounting firm to prepare this material.

#### **Notification**

- Unless you object, we may use or disclose your protected health information to notify, or assist in notifying, a family member, personal representative, or other person responsible for your care, about your location, and about your general condition, or your death. We also may call to remind you of your appointment and/or leave a message on your answering machine or with someone who answers your telephone.

#### **Communication with Family**

- Using our best judgment, we may disclose to a family member, other relative, close personal friend, or any other person you identify, health information relevant to that person's involvement in your care or in payment for such care if you do not object or in an emergency.

#### **Research**

- We may disclose information to researchers when their research has been approved by an institutional review board that has reviewed the research proposal and established protocols to ensure the privacy of your protected health information.

#### **Disaster Relief**

- We may use and disclose your protected health information to assist in disaster relief efforts.

#### **Funeral Directors/Coroners**

- We may disclose your protected health information to funeral directors or coroners consistent with applicable law to allow them to carry out their duties.

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### **Organ Procurement Organizations**

- Consistent with applicable law, we may disclose your protected health information to organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of organs for the purpose of tissue donation and transplant.

### **Marketing**

- We may contact you to provide you with appointment reminders, with information about treatment alternatives, or with information about other health-related benefits and services that may be of interest to you.

### **Fund Raising**

- We may contact you as part of a fund raising effort.

### **Food and Drug Administration (FDA)**

- We may disclose to the FDA your protected health information relating to adverse events with respect to food, supplements, products and product defects, or post-marketing surveillance information to enable product recalls, repairs, or replacements.

### **Workers Compensation**

- If you are seeking compensation through Workers Compensation, we may disclose your protected health information to the extent necessary to comply with laws relating to Workers Compensation.

### **Public Health**

- As required by law, we may disclose your protected health information to public health or legal authorities charged with preventing or controlling disease, injury, or disability.

### **Abuse & Neglect**

- We may disclose your protected health information to public authorities as allowed by law to report abuse or neglect.

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### **Law Enforcement**

- We may disclose your protected health information for law enforcement purposes as required by law, such as when required by a court order, or in cases involving felony prosecutions, or to the extent an individual is in the custody of law enforcement.

### **Health Oversight**

- Federal law allows us to release your protected health information to appropriate health oversight agencies or for health oversight activities.

### **Judicial/Administrative Proceedings**

- We may disclose your protected health information in the course of any judicial or administrative proceeding as allowed or required by law, with your consent, or as directed by a proper court order.
- To avert a serious threat to health or safety, we may disclose your protected health information consistent with applicable law to prevent or lessen a serious, imminent threat to the health or safety of a person or the public.

### **For Specialized Governmental Functions**

- We may disclose your protected health information for specialized government functions as authorized by law such as to Armed Forces personnel, for national security purposes, or to public assistance program personnel.

**Effective Date:** April 11, 2003

### **Other Uses**

- Other uses and disclosures besides those identified in this Notice will be made only as otherwise authorized by law or with your written authorization and you may revoke the authorization as previously provided.