

HIPAA NOTICE OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED, DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

I. WHAT THIS IS

This Notice describes the privacy practices of Great Spirit Acupuncture.

II. OUR PRIVACY OBLIGATIONS

We are required by applicable federal and state law to maintain the privacy of medical and health information about you. We understand that your medical information is private and confidential. Further, we are required by law to maintain the privacy of "protected health information." "Protected health information" or PHI includes any individually identifiable information that we obtain from 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. We will share protected health information with one another as necessary, to carry out treatment, payment or health care operations relating to the services to be rendered at Great Spirit Acupuncture.

You may request a copy of our Notice at any time. For more information about our privacy practices, or for additional copies of this Notice, please contact us using the information listed at the end of this Notice.

III. PERMISSIBLE USES OF DISCLOSURES WITHOUT YOUR WRITTEN AUTHORIZATION

In certain situations, which we will describe in Section IV below, we must obtain your written authorization in order to use and/or disclose PHI. However, we do not need any type of authorization from you for the following uses and disclosures:

- A. Uses and Disclosures for Treatment, Payment and Health Care Operations. We may use and disclose PHI in order to treat you, obtain payment for service provided to you and in order to conduct our "health care operations" as detailed below:
1. Treatment. We may use and disclose your PHI in providing, coordinating and/or managing health care and related services for you. For example, to treat your injury or illness. We may also disclose PHI to other providers involved in your treatment. We may contact you to provide appointment reminders or information about treatment alternatives or other health-related benefits and services that may of interest to you. For example, voicemail messages, postcards and letters.
 2. Payment. We may use and disclose PHI to obtain payment and/or reimbursement for services that we provide to you, billing or collection activities, confirming coverage, and utilization review. For example, discussing a bill with your insurance company to assist in securing payment. You should be aware that if you are not the insurance policy holder, the insurance carrier might disclose certain information to the policyholder.
 3. Health Care Operations. We may use and disclose PHI for our health care operations, or the business aspects of running our practice. This includes internal planning, administration, and conducting of quality assessments and activities that improve the quality and cost effectiveness of care that we deliver to you. For example, we may use PHI to audit functions, evaluate the qualifications and competence of our health care providers, conduct training programs, for

accreditation, certification, licensing and/or credentialing activities, cost-management analysis and customer service.

We may disclose PHI to our attorneys or accountants in the event we need information in order to address one of our business functions. We may also disclose PHI to your other health care providers when such PHI is required for them to treat you, receive payment for service they render to you, or conduct certain health care operations, such as quality assessment and improvement activities, reviewing the quality and competence of health care professionals, or health care fraud and abuse detection or compliance.

We may also create and distribute de-identified health information by removing all references to individually identifiable information.

We will make reasonable efforts to limit the Health Information we use or disclose to the “minimum necessary” to accomplish the stated purposes.

- B. Your authorization. In addition to our use and disclosure of PHI for treatment, payment, or healthcare operations, you may give us written authorization to use or to disclose it to anyone for any purpose. If you give us an authorization, you may revoke it in writing at any time. Your revocation will not affect any use or disclosures permitted by your authorization while it was in effect.
- C. Disclosure to Relatives and Close friends. You may use or disclose PHI to a family member, your personal representative, person responsible for your care, or other person identified by you when you are present for, or otherwise available prior to, the disclosure, if we (1) obtain your agreement (2) provide you with the opportunity to object to the disclosure and you do not object; or (3) reasonably infer that you do not object to the disclosure and you do not object to the disclosure. If you are not present or in the event of your incapacity or emergency circumstances, we may exercise our professional judgment to determine whether a disclosure is in your best interest disclosing only PHI directly relevant to the person’s involvement in your healthcare. We will also use our professional judgment to make references of your best interest in allowing a person to pick up health information.
- D. Public Health Activities. We may disclose PHI for the following public health activities and purposes: (1) to report health information to public health authorities for the purpose of preventing or controlling disease, injury or disability; (2) to report child abuse and neglect to public health authorities or other government authorities to receive such reports; (3) to report information about products under the jurisdiction of the U.S. Food and Drug Administration; and (4) to alert a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading a disease or condition.
- E. Victims of Abuse, Neglect or Domestic Violence. If we reasonably believe you are a victim of abuse, neglect or domestic violence, we may disclose PHI to a government authority, including social service or protective services agency, authorized by law to receive report of such abuse, neglect or domestic violence.
- F. Health Oversight Activities. We may disclose PHI to a health oversight agency that oversees the health care system and is charged with responsibility for ensuring compliance with the rules of government health programs such as Medicare or Medicaid.
- G. Judicial and Administrative Proceedings. We may disclose PHI in the course of a judicial or administrative proceeding in response to legal order or other lawful process.
- H. Law Enforcement Officials. We may disclose PHI to the police or other law enforcement officials as required or permitted by law or in compliance with a court order or a grand jury or administrative subpoena.
- I. Decedents. We may disclose PHI to a medical examiner as authorized by law.

- J. Organ and Tissue Procurement. We may disclose PHI to organizations that facilitate organ, eye or tissue procurement, banking or transplantation.
- K. Research. We may use or disclose PHI without your consent or authorization if an Institutional Review Board approves a waiver or authorization for disclosure.
- L. Health or Safety. We may use or disclose PHI to prevent or lessen a threat of imminent serious physical violence against you or another readily identifiable individual.
- M. Specialized Government Functions. We may use or disclose PHI to units of the government with special functions, such as the U.S. Military or the U.S. Department of State under certain circumstances.
- N. Workers' Compensation. We may disclose PHI as authorized by and to the extent necessary to comply with laws relating to workers' compensation or other similar programs.
- O. As required by Law. We may use or disclose PHI when required to do so by any other law not already referred to in the preceding categories.
- P. Change of ownership. In the event that Great Spirit Acupuncture is sold or merged with another organization, your health information/record will become property of the new owner.

You have the following rights with respect to your protected health information, which you can exercise by presenting a written request to the HIPAA Compliance Officer.

IV. USES AND DISCLOSURES REQUIRING YOUR WRITTEN AUTHORIZATION

- A. Uses or Disclosures with Your Authorization. For any purpose other than the ones described above in Section III, we may only use or disclose PHI when you give us your authorization on our authorization form. You may revoke such authorization in writing and we are required to honor and abide by that written request, except to the extent that we may have already taken actions relying on your authorization.
- B. Marketing. We must also obtain your written authorization prior to using your PHI to send you any marketing materials. (We can, however, provide you with marketing materials in a face-to-face encounter and are also permitted to give you a promotional gift of nominal value, if we so choose.) In addition, we may communicate with you about products or services relating to your treatment, case management or care coordination, or alternative treatments, therapies, providers or care settings.
- C. Genetic Information. Except in cases (such as paternity test for a court proceeding, anonymous research, newborn screening requirements, or pursuant to a court order), we will obtain your special written consent prior to obtaining or retaining your genetic information (for example, your DNA sample) or using or disclosing your genetic information for purposes of treatment, payment or health care operations. We may use or disclose your genetic information for any other reason only when your authorization expressly refers to your genetic information or when disclosure is permitted under New Jersey State Law or by court order.
- D. HIV/AIDS Related Information. Your authorization must expressly refer to your HIV/AIDS related information in order to permit us to disclose your HIV/AIDS related information. However, there are certain purposes for which we may disclose your HIV/AIDS information, without obtaining your authorization: (1) your diagnosis and treatment; (2) scientific research; (3) management audits, financial audits or program evaluation; (4) medical education; (5) disease prevention and control when permitted by the New Jersey Department of Health and Senior Services; (6) to comply with a certain type of court order; and (7) when required by law, to the Department of Health and Senior Services or another entity. You also should note that we may disclose your HIV/AIDS related information to third party payers (such as your insurance company or HMO) in order to receive payment for the services we provide to you.

- E. Venereal Disease Information. Your authorization must expressly refer to your venereal disease information in order to permit us to disclose any information identifying you as having, or being suspected of having, a venereal disease. However, there are certain purposes for which we may disclose your venereal disease information, without obtaining your authorization, including to a prosecuting officer or the court if you are being prosecuted under New Jersey Law, to the department of Health and Senior Services, or to your physician or health authority, such as the local Board of Health. Your physician or a health authority may further disclose your venereal disease information if he/she/it deems it necessary in order to protect the health or welfare of you, your family or the public. Under New Jersey law, we may also grant access to your venereal disease information upon the request of a person (or his/her insurance carrier) again; whom you are asserting a claim for compensation or damages for your personal injuries.
- F. Tuberculosis Information. Your authorization must expressly refer to your tuberculosis information in order to permit us to disclose any information identifying you as having tuberculosis or refusing/failing to submit to a tuberculosis test if you are suspected of having tuberculosis or are in close contact to a person with tuberculosis. However, there are certain purposes for which we may disclose your tuberculosis information, without obtaining your authorization, including for research purposes under certain conditions, pursuant to valid court order, or when the Commissioner of the Department of Health and Senior Services (or his/her designee) determines that such disclosure is necessary to enforce public health laws or to protect the life or health of a named person.

V. YOUR INDIVIDUAL RIGHTS

You have the following rights with respect to your protected health information, which you can exercise by presenting a written request to the HIPAA Compliance Officer:

- A. Right to Request Additional Restrictions. You may request restrictions on our use and disclosure of PHI (1) for treatment, payment and health care operations; (2) to individuals (such as a family member, other relative, close personal friend or any other person identified by you) involved with your care or with payment related to your care; or (3) to notify or assist in the notification of such individual regarding your location and general condition. While we will consider all requests for additional restrictions carefully, we are not required to agree to a requested restriction. If you wish to request additional restrictions, please obtain a request form from our office and submit completed form to the HIPAA Compliance Officer. We will send you a written response.
- B. Right to Receive Confidential Communications. You may request, and we will accommodate, any reasonable written request for you to receive PHI by alternative means of communication or at alternative locations. Your request must specify the alternative means, or location and provide satisfactory explanation of how payments will be handled under the alternative means of location you request.
- C. Right to Inspect and Copy Your Health Information. You may request access to your medical record file and billing records maintained by us in order to inspect and obtain copies of the records. If you desire access your records, please obtain a record request form from the HIPAA Compliance Officer and submit the completed form by mail or in person. We may charge you a reasonable cost-based fee to cover copying, postage, preparation of a summary. We will advise you of these costs in advance. In certain circumstances, we may deny you access. In those circumstances, we will provide you with a written reason for the denial and advise you whether, under the law, you have the right to a review of the denial by a licensed health care professional who was not involved in the process. A complete description of this process is available upon request.

(You should take note that, if you are a parent or legal guardian of a minor, certain portions of the minor's medical record will not be accessible to you per applicable federal and/or state law, including records relating to pregnancy, abortion, sexually transmitted disease, substance use and abuse and contraception and/or family planning services.)

- D. Right to Amend your Records. You have the right to request that we amend PHI maintained in your medical record file or billing record. If you desire to amend your records, please obtain an amendment request form from the HIPAA Compliance Officer and submit the completed form to the HIPAA Compliance Officer. We will comply with your request unless we believe that the information that would be amended is accurate and complete or other special circumstances apply.
- E. Right to Receive An Accounting of Disclosures. Upon request, you may obtain an accounting of certain disclosures of PHI made by us during any period of time prior to the date of your request provided such period does not exceed six years and does not apply to disclosures that occurred prior to July 1, 2014.
- F. Right to Revoke your Authorization. You may revoke "Your Authorization" or your "Marketing Authorization," except to the extent that we have taken action in reliance upon it, by delivering written revocation statement to the HIPAA Compliance Officer identified below. A form is available upon request from our office.
- G. Electronic Notice. If you receive this Notice on our Web site or by electronic mail (e-mail), you are entitled to receive this Notice in written form.
- H. Further Information/Complaints. If you desire further information about your privacy rights, are concerned that we have violated your privacy rights or disagree with a decision that we made about access to PHI, you may contact our HIPAA Compliance Officer in writing or by phone. You may also file written complaints to the Department of Health and Human Services if you believe that your rights as described herein have been violated. Complaints made to the DHHS must be filed in writing and include a description of the acts of omissions you believe have resulted in a violation of your rights. A complaint must be made within 180 days of when you found out about the violation, unless you have "good cause" for filing later. We will not retaliate against you in any way if you choose to file a complaint with us or with the government.

VI. EFFECTIVE DATE AND DURATION OF THIS NOTICE

- A. Effective date. This Notice is effective July 1, 2014 and will remain in effect until we replace it. We are required to abide by the terms of the Notice of Privacy Practices currently in effect.
- B. Right to Change Terms of this Notice. We reserve the right to change our privacy practices and the terms of this Notice at any time, provided such changes are permitted by applicable law. We will make the new provisions effective for all information that we maintain, including health information we created or received before we made changes. Before we make significant change in our privacy practices, we will change this Notice, post and make it available upon request until such amendment is made, Great Sprit Acupuncture is required by law to maintain the privacy of your health information and to provide you with notice of its legal duties and privacy practices with respect to your health information.

VII. CONTACT INFORMATION

You may contact us regarding our privacy practices by calling our HIPAA Compliance Officer at 805.698.9889.

You may contact the DHHS at: Director, Office of Civil Rights, U.S. Department of Health and Human Services, 330 Independence Avenue, SW, Washington D.C., 20202