



# Joint Notice of Privacy Practices

***This Notice describes how medical information about you may be used and disclosed, and how you can obtain access to this information.***

***Please review it carefully.***

Tanner Health System (including our hospitals, home health and hospice services, physicians and physician offices) make and keep records of your medical and billing information. While you are a patient within our health system, we will use and disclose your medical information to:

- Provide treatment to you and to keep a record describing your care
- Receive payment for the care we provide
- Administer and conduct business relating to the services and facilities of the health system
- Comply with federal and state law

**This Notice summarizes the ways Tanner Health System and those noted below may use and disclose medical information about you. It also describes your rights and our duties regarding the use and disclosure of your medical information. This Notice applies to all records of your care held within Tanner Health System.**

**When we use the word “we” or “Tanner Health System,” we mean all the persons/entities covered by this Notice and listed below, including its affiliates, medical professionals and other persons/companies who assist us with your treatment, payment or our business as a healthcare provider.**

We are required by law to:

- Keep your medical information confidential
- Make available to you this Notice of our legal duties and privacy practices with respect to your medical information
- Follow the terms of the Notice that is currently in effect

## **Persons/Entities Covered by This Notice**

- All employees, staff and other Tanner Health System personnel
- The following entities, sites and locations:
  - Tanner Medical Center, Inc. medical staff
  - Tanner Medical Center/Carrollton
  - Tanner Medical Center/Villa Rica
  - Willowbrooke at Tanner
  - Higgins General Hospital
  - Tanner Rehab Facility at Tanner Medical Center/Carrollton
  - Tanner Home Health
  - Tanner Hospice Care
  - Tanner Medical Group

- Tanner Occupational Health
  - HealthWest PHO
- In addition, the following entities, sites and locations may share medical information with each other for the treatment, payment and administrative purposes described in this Notice:
    - Persons or entities performing services for Tanner Health System under agreements containing privacy and security protections or to which disclosure of medical information is permitted by law
    - Persons or entities with whom Tanner Health System participates in managed care arrangements
    - Our volunteers and medical, nursing and other healthcare students
    - Members of the Tanner Health System medical staff and other medical professionals involved in your care or performing peer review, quality improvement, medical education and other services for Tanner Health System

## **Uses and Disclosures of Your Medical Information**

We use and disclose medical information in the ways described below.

### **Treatment**

We may use your medical information to provide medical treatment or services to you. We may disclose medical information about you to doctors, nurses, technicians, therapists, medical, nursing or other healthcare students, or other personnel taking care of you inside and outside of Tanner Health System. We may use and disclose your medical information to coordinate or manage your care. As examples, a doctor treating you for a broken leg may need to know if you have diabetes because diabetes may slow the healing process, or the doctor may need to tell the dietitian that you have diabetes so you can have appropriate meals. Departments within Tanner Health System may share your medical information to schedule the tests and procedures you need, such as prescriptions, laboratory tests and X-rays. We also may disclose your medical information to healthcare facilities if you need to be transferred from a Tanner Health System facility to another hospital, a nursing home, a home health provider, rehabilitation center, etc. We also may disclose your medical information to people outside Tanner Health System who are involved in your care while you are here or after you leave Tanner Health System, such as other healthcare providers, family members or pharmacists.

### **Payment**

We may use and disclose your medical information so that the treatment and services you receive can be billed and collected from you, an insurance company or another company or person. For example, we may give your insurance company (e.g., Medicare, Medicaid, CHAMPUS/TRICARE or a private insurance company) information about surgery you received so your insurance company will pay us for the surgery. We also may tell your insurance company about a treatment you are going to receive in order to determine whether you are eligible for coverage or to obtain prior approval from the company to cover payment for the treatment. We could disclose your information to a collection agency to obtain overdue payment. We might also be asked to disclose information to a regulatory agency or other entity to determine whether the services we provided were medically necessary or appropriately billed.

### **Healthcare Operations**

We may use and disclose your medical information for any operational function necessary to run Tanner Health System and its facilities as a business and as a licensed/certified/accredited facility, including uses/disclosures of your information such as in the following examples:

- (1) Conducting quality or patient safety activities, population-based activities relating to improving health or reducing healthcare costs, case management and care coordination, and contacting of healthcare providers and you with information about treatment alternatives
- (2) Reviewing the qualifications of healthcare professionals and evaluating their performance, conducting training programs for staff, students, trainees or practitioners and non-healthcare professionals performing accreditation, certification, licensing or credentialing activities
- (3) Engaging in activities related to the evaluation, creation, renewal or replacement of health insurance benefits

- (4) Conducting or arranging for medical review, legal services and auditing functions for Tanner Health System
- (5) Business planning, development, management and administrative activities, including things like customer service; resolution of complaints; sale, transfer, merger or consolidation of all or part of Tanner Health System entities and the background research related to such activities
- (6) Creating and using de-identified health information or a limited data set or having a business associate perform data aggregation or other tasks for various operational purposes

As additional examples, we may disclose your medical information to physicians on our medical staff who review the care that was provided to patients by their colleagues. We may disclose information to doctors, nurses, therapists, technicians, medical, nursing or other healthcare students and Tanner Health System personnel for teaching purposes. We may combine medical information about many patients to decide what services Tanner Health System should offer, and whether new services are cost-effective and how we compare from a quality perspective with other hospitals/health systems. Sometimes, we may remove your identifying information from your medical information so others may use it to study healthcare services, products and delivery without learning who you are. We may disclose information to other healthcare providers involved in your treatment to permit them to carry out the work of their facility or to get paid. We may provide information about your treatment to an ambulance company that brought you to Tanner Health System so that the ambulance company can be paid for their services.

#### **Activities of Our Affiliates**

We may disclose your medical information to our affiliates in connection with your treatment or other Tanner Health System activities.

#### **Activities of Organized Healthcare Arrangements in Which We Participate**

For certain activities, Tanner Health System, members of its medical staff and other independent professionals are called an organized healthcare arrangement. We may disclose information about you to healthcare providers participating in our organized healthcare arrangement, such as a managed care or physician-health system organization. Such disclosures would be made in connection with our services, your treatment under a health plan arrangement, and other activities of the organized healthcare arrangement. We operate under this Joint Notice for activities involving Tanner Health System.

*Important:* Tanner Health System may share your medical information with members of the Tanner Health System medical staff and other independent medical professionals in order to provide treatment, payment and healthcare operations and perform other activities for Tanner Health System. While those professionals have agreed to follow this Notice and otherwise participate in the privacy program of Tanner Health System, they are independent professionals and Tanner Health System expressly disclaims any responsibility or liability for their acts or omissions relating to your care or privacy/security rights.

#### **Health Services, Products, Treatment Alternatives and Health-Related Benefits**

We may use and disclose your medical information in providing face-to-face communications; promotional gifts; refill reminders or communications about a drug or biologic; case management or care coordination; or to direct or recommend alternative treatments, therapies, providers, or settings of care; or to describe a health-related product/service (or payment for such product/service) that is provided through a benefit plan; or to offer information on other providers participating in a healthcare network that we participate in, or to offer other health-related products, benefits or services that may be of interest to you. We may use and disclose your medical information to contact and remind you of an appointment for treatment or medical care.

#### **Fundraising**

We may use and disclose your medical information to raise money for Tanner Health System. Tanner Medical Foundation is Tanner Health System's primary fundraising entity. Tanner Health System is allowed to disclose certain parts of your medical information to Tanner Medical Foundation or others involved in fundraising, unless you tell us you do not want such information used and disclosed. For example, Tanner Health System may disclose to the Tanner Medical Foundation demographic information, such as your name, address, other contact information, telephone number, gender, age, date of birth, the dates you received treatment by Tanner Health System, the department that provided you service, your treating physician, outcome information and health

insurance status. You have a right to opt-out of receiving fundraising requests. If you do not want Tanner Health System to contact you for fundraising, please notify Tanner Medical Foundation in writing.

### **Directory**

We may include certain information about you in the Tanner Health System inpatient directory while you are a patient in these facilities. This information may include your name, your room number, your general condition (fair, stable, etc.) and your religious affiliation. Your religious affiliation may be given to a member of the clergy, such as a minister, priest or rabbi, even if they don't ask for you by name. Directory information, except for your religious affiliation, may be released to people who ask for you by name. This is so your family, friends and clergy can visit you in a Tanner Health System facility and generally know how you are doing. If you do not want this information given out, please tell the registrar, receptionist or nurse.

### **Individuals Involved in Your Care or Payment for Your Care**

Should you become incapacitated, we may release your medical information to the person you named in your durable power of attorney for healthcare (if you have one), or otherwise to a friend or family member who is your personal representative (i.e., empowered under state or other law to make health-related decisions for you). We may give information to someone who helps pay for your care. In addition, we may disclose your medical information to an entity assisting in disaster relief efforts so that your family can be notified about your condition. The Health Insurance Portability and Accountability Act (HIPAA) also allows us at certain times to speak with those who are/were involved in your care/payment activities while you were being treated as patient and/or even after your death, if we reasonably infer based on our professional judgment that you would not object. If you do not wish for us to speak with a particular person about your care, you should notify the registrar, receptionist or nurse.

### **Research**

We may use and disclose your medical information for research purposes. Most research projects, however, are subject to a special approval process. Most research projects require your permission if a researcher will be involved in your care or will have access to your name, address or other information that identifies you. However, the law allows some research to be done using your medical information without requiring your authorization.

### **Required By Law**

We will disclose your medical information when federal, state or local law requires it. For example, Tanner Health System and its personnel must comply with child and elder abuse reporting laws and laws requiring us to report certain diseases, injuries or deaths to state or federal agencies.

### **Serious Threat to Health or Safety**

We may use and disclose your medical information when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person.

### **Organ and Tissue Donation**

If you are an organ donor, we may release your medical information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to aid in its organ or tissue donation and transplantation process.

### **Military and Veterans**

If you are a member of the U.S. or foreign armed forces, we may release your medical information as required by military command authorities.

### **Workers' Compensation**

We may release medical information about you for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.

**Minors**

If you are a minor (under 18 years old), Tanner Health System will comply with Georgia law regarding minors. We may release certain types of your medical information to your parent or guardian if such release is required or permitted by law.

**Public Health Risks**

We may disclose your medical information (and certain test results) for public health purposes, such as:

- To a public health authority to prevent or control communicable diseases (including sexually transmitted diseases), injury or disability
- To report births and deaths
- To report child, elder or adult abuse, neglect or domestic violence
- To report reactions to medications or problems with products to the FDA or other authority
- 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 getting or spreading a disease or condition
- To notify employer of work-related illness or injury (in certain cases)
- To a school to disclose whether immunizations have been obtained

**Health Oversight Activities**

We may disclose your medical information to a federal or state agency for health oversight activities such as audits, investigations, inspections and licensure of Tanner Health System and of the providers who treated you at Tanner Health System. These activities are necessary for the government to monitor the healthcare system, government programs, and compliance with laws.

**Lawsuits and Disputes**

We may disclose your medical information to respond to a court or governmental agency request, order or a search warrant. We also may disclose your medical information in response to a subpoena, discovery request or other lawful process by someone else involved in a dispute.

**Law Enforcement**

Subject to certain conditions, we may disclose your medical information for a law enforcement purpose upon the request of a law enforcement official, to report suspicion of death resulting from criminal conduct or crime on our premises, or for emergency or other purposes.

**Medical Examiners and Funeral Directors**

We may disclose your medical information to a coroner, medical examiner or funeral director so they may carry out their duties.

**National Security**

We may disclose your medical information to authorized federal officials for national security activities authorized by law.

**Protective Services**

We may disclose your medical information to authorized federal officials so they may provide protection to the President of the United States and other persons.

**Inmates**

If you are an inmate of a correctional institution or under the custody of a law enforcement officer, we may release your medical information to the correctional institution or a law enforcement officer. This release would be necessary for Tanner Health System to provide you with healthcare, to protect your health and safety or the health and safety of others, or for the safety and security of the law enforcement officer or the correctional institution.

**Incidental Disclosures**

Although we train our staff in privacy, due to the nature of the way treatment and billing occurs within Tanner Health System facilities, your medical or billing information may be overheard or seen by persons/entities not involved directly in your care. For example, your visitors or visitors visiting other patients on your treatment floor could inadvertently overhear a conversation about you or witness a treatment episode. These types of situations are often unavoidable.

### **Business Associates**

Your medical or billing information could be disclosed to persons or companies (“vendors”) outside Tanner Health System who are under contract with us or others to provide certain services to you and/or to Tanner Health System. We require these vendors to sign special confidentiality agreements with Tanner Health System before giving them access to your information. They are also subject to penalties by the federal government if they use/disclose your information in a way that is not allowed by law.

*Note* — State law provides special protection for certain types of health information, including information about alcohol or drug abuse, mental health and AIDS/HIV, and may limit whether and how we may disclose information about you to others. Federal law provides additional protection for information that result from alcohol and drug rehabilitation treatment programs.

### **Health Information Exchanges (HIE)**

Health Information Exchanges (HIE) are designed to provide your physicians/health facilities/providers with greater access to your clinical information with the goal of reducing the number of tests and treatment delays from paper medical records, helping providers communicate and providing patients with safer care. HIEs are very helpful when providing care in emergencies.

Tanner Health System participates in a health information exchange that may make your health information available to other providers, health plans and healthcare clearinghouses for treatment or payment purposes. Your health information may be included in the health information exchange. We may also make your health information available to other health exchange services that request your information for coordination of your treatment and/or payment for services rendered to you. Sensitive information (such as HIV/AIDs or other communicable disease, mental health, drug and alcohol treatment information) is protected under state and federal law. We will provide sensitive information to the HIE but have put into place protections to help prevent the disclosure of sensitive information to those other than your treating providers, their workforce members and business associates; however, because sensitive information cannot be completely isolated or removed from other medical information, there is a chance that sensitive information could be included within your medical information. Participation in the health information exchange is voluntary and you have the right to opt out. If you choose to opt out, please come to the Tanner Health System Health Information Management Department located on the Carrollton campus to complete the HIE opt out form.

### **Your Privacy Rights**

#### **Right to review and right to request a copy**

You have the right to review and get a copy of your medical and billing information that is held by us in a designated record set (including the right to obtain an electronic copy if readily producible by us in the form and format requested). The Health Information Management Department, Tanner Medical Group and Tanner Home Health have a form you can fill out to request to review or get a copy of your medical information, and can tell you how much your copies will cost. Tanner Health System is allowed by law to charge a reasonable cost-based fee for labor, supplies, postage and the time to prepare any summary. Tanner Health System will tell you if it cannot fulfill your request. If you are denied the right to see or copy your information, you may ask us to reconsider our decision. Depending on the reason for the decision, we may ask a licensed healthcare professional to review your request and its denial. We will comply with this person’s decision.

#### **Right to Amend**

If you feel your medical information in our records is incorrect or incomplete, you may ask us in writing to amend the information. You must provide a reason to support your requested amendment. We will tell you if we cannot fulfill your request. The Health Information Management Department, Tanner Medical Group and Tanner Home Health have a form you can complete to request an

amendment.

### **Right to an Accounting of Disclosures**

You have the right to make a written request for a list of certain disclosures Tanner Health System has made of your medical information within a certain period of time. This list is not required to include all disclosures we make. For example, disclosure for treatment, payment or Tanner Health System administrative purposes, disclosures made before April 14, 2003, disclosures made to you or which you authorized and other disclosures are not required to be listed. The Health Information Management Department, Tanner Medical Group and Division of Home Care have a form you can complete to request an accounting of disclosures.

### **Right to Request Restrictions on Disclosures**

You have the right to make a written request to restrict or put a limitation on the medical information we use or disclose about you for treatment, payment or healthcare operations. You also have the right to request a limit on your medical information that we disclose to someone involved in your care or the payment for your care, like a family member or friend. We are generally not required to agree to your request, except as follows:

**Payor Exception** — If otherwise allowed by law, we are required to agree to a requested restriction, if (1) the disclosure is to your health insurance plan for purposes of carrying out payment or healthcare operations and (2) the medical information to be restricted relates solely to a healthcare item or service for which all parties have been paid in full out of pocket.

*Note* — During a single Tanner Health System visit, you may receive a bill for payment from multiple sources, including Tanner Health System, laboratories, individual physicians who cared for you, specialists, radiologists, etc. Therefore, if you wish to restrict a disclosure to your health insurance company from all these parties, you must contact each independent healthcare provider separately and you must submit payment in full to each individual provider. Tanner Health System expressly disclaims any responsibility or liability for independent medical staff acts or omissions relating to your HIPAA privacy rights.

If we do agree to a request for restriction, we will comply with your request unless the information is needed to provide you with emergency treatment or to make a disclosure that is required under law. In your request, you must tell us: (1) what information you want to limit; (2) whether you want to limit our use, disclosure or both; and (3) to whom you want the limits to apply, for example, disclosures to your adult children. The contact person listed in the following pages can help you with these requests if needed.

### **Right to Request Confidential Communications**

You have the right to make a written request that we communicate with you about medical matters in a certain way or at a certain location. For example, you can ask that we contact you only at work or by mail. We will not ask you the reason for your request. We will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted. The contact person listed below can help you with these requests if needed.

### **Right to a Paper Copy of This Notice**

You have the right to receive a paper copy of this Notice at any time even if you have agreed to receive this Notice electronically. You may obtain a copy of this Notice at our Web site at [www.tanner.org](http://www.tanner.org) or a paper copy from the contact person listed below.

### **Right to Receive a Notice of a Breach of Unsecured Medical/Billing Information**

You have the right to receive a notice in writing of a breach of your unsecured medical or billing or financial information. Your physicians (who are not Tanner Health System employees) or other independent entities involved in your care will be solely responsible for notifying you of any breaches that result from their actions or inactions.

### **Changes to This Notice**

We reserve the right to change this Notice. We reserve the right to make the revised or changed Notice effective for medical information we already have about you, as well as for any information we receive in the future. We will post the current Notice throughout Tanner Health System registration sites and on our Web site at [www.tanner.org](http://www.tanner.org).

## **Complaints**

If you believe your privacy rights have been violated, you may file a written complaint with Tanner Health System or with the Secretary of the Department of Health and Human Services (HHS). Generally, a complaint must be filed with HHS within 180 days after the act or omission occurred, or within 180 days of when you knew or should have known of the action or omission. To file a complaint with Tanner Health System, you may communicate with the member of the healthcare team managing your care, contact the department supervisor, risk management or the privacy officer. You will not be denied care or discriminated against by Tanner Health System for filing a complaint.

## **Other Uses and Disclosures of Medical or Billing Information Require Your Authorization**

Disclosures that are not referenced in this Notice of Privacy Practices or are not otherwise allowed or required by federal and/or state law or our policies and procedures will require your authorization. Uses and disclosures of your medical information not generally covered by this Notice or the laws and regulations that apply to Tanner Health System will be made only with your written permission or authorization. For example, unless otherwise allowed by law, most uses and disclosures of psychotherapy notes, uses and disclosures for marketing purposes and disclosures that constitute the sale of medical information require an authorization.

If you give us permission to use or disclose medical information about you, you may revoke that permission, in writing, at any time. If you revoke your permission, we will no longer use or disclose your medical information for the reasons covered by your written authorization, but the revocation will not affect actions we have taken in reliance on your permission. You understand that we are unable to take back any disclosures we have already made with your permission, we still must continue to comply with laws that require certain disclosures, and we are required to retain our records of the care that we provided to you.

If you have any questions about this notice, please contact our privacy officer at 770.836.9666.

Effective Date: May 1, 2014