

# Notice of HIPAA Privacy Practices Updates

The following is a summary of the updates to the privacy notice for Meridian Hospitals Corporation, Meridian Home Care Services, Inc., Meridian Nursing & Rehabilitation, Inc. (collectively “Meridian”) and the independent members and independent health professional affiliates of the medical staffs of Meridian.

- **Marketing:** Authorizations from you will be required for communications that market a health related product or service, with the exceptions for treatment-related communications or appointment reminders.
- **“Sale” of PHI:** We must obtain your authorization if we “sell” your PHI. Please note Meridian does not “sell” PHI.
- **Fundraising:** Patients will be provided with the opportunity to “opt out” of fundraising communications.
- **Electronic Copy of Medical Information:** Patients may obtain an electronic copy of their medical record upon request, if their patient information/medical record is maintained electronically.
- **Out of Pocket Health Services/ Items:** If patients pay out of pocket for health care services and items, they may request restrictions on the information disclosed to their health plan solely for purposes of payment or health care operations.
- **Research:** Authorizations may be combined in the research context, subject to certain requirements, and authorizations for future research are also permitted.
- **Decedents:** Health Information of decedents who have been deceased for 50 or more years is no longer considered PHI.
- **Genetic Information:** Genetic information is considered PHI; health plans are restricted from using genetic information for underwriting purposes.
- **Breach:** Use or disclosures of PHI that are not permissible are now presumed to be a Breach unless it can be demonstrated a “low probability” exists that the PHI has been compromised or that an exception otherwise applies.
- **Business Associates:** Business associates are directly liable for violations of the HIPAA/HITECH Act. Subcontractors of a business associate that create, receive, maintain or transmit PHI on behalf of the business associate are likewise HIPAA business associates, and subject to the same requirements that the first business associate is subject to.

If you have any questions regarding the attached Notice of HIPAA Privacy or these updates, please ask the Meridian patient representatives with the Meridian entity from which you receive treatment or the Meridian Privacy Officer via telephone at 732.751.3448 or via correspondence to Privacy Officer, Meridian Health System, Monmouth Shores Corporate Park, 1355 Campus Pkwy., Neptune, New Jersey 07753.

This notice is effective August 13, 2013



# Notice of HIPAA Privacy Practices Summary

**This is a summary of the Privacy Notice for Meridian Hospitals Corporation, Meridian Home Care Services, Inc., Meridian Nursing and Rehabilitation, Inc. (collectively “Meridian”) and the independent members and independent health professional affiliates of the medical staffs of Meridian (collectively with Meridian referred to herein as “us”, “we” or “our”). This summary is not complete without reference to the attached HIPAA Joint Privacy Practice Notice. If you have not received the HIPAA Joint Privacy Practice Notice, please request it from us.**

We understand that your medical information is private and confidential. Further, we are required by law to maintain the privacy of 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 (your “Protected Health Information”). **Please note that the independent members and independent health professional affiliates of the Medical Staffs are neither employees nor agents of Meridian but are joined under the HIPAA Joint Privacy Notice for the convenience of explaining to patients their rights relating to their Protected Health Information.**

## Our Uses and Disclosures

- Your Protected Health Information will be used, as needed, by Us for purposes of treatment, payment and routine health care operations.
- We may use your Protected Health Information in a variety of other ways, although all such uses and disclosures will be subject to the restrictions of applicable law. For example, We may:
  - contact you to provide appointment reminders for treatment or to recommend possible treatment alternatives;
  - disclose information to your family or friends or any other individual identified by you who is involved in your care or the payment for your care;
  - include your name and one-word description of your condition in our directory while you are a patient at Meridian;
  - in certain circumstances, allow your family and friends to act on your behalf to pick-up filled prescriptions, medical supplies, or X-rays;
  - contact you as part of Meridian's fund-raising efforts;
  - disclose your health information to conduct certain research activities;
  - disclose your health information to comply with laws applicable to Us; and
- Other uses and disclosures of Protected Health Information not covered by Our notice or the laws that apply to Us will be made only with your permission in a written authorization.

## Your Rights

Among other things, you have the right to:

- Request restrictions on Our uses and disclosures of Protected Health Information for treatment, payment and health care operations.
- Reasonably request to receive communications by alternative means or at alternative locations.
- Inspect and copy certain Protected Health Information contained in your medical and billing records and in any other Meridian records used by Us to make decisions about you.
- Request an amendment to your Protected Health Information, but We may deny your request for amendment, in certain circumstances

## Complaints and Contact Person

If you believe that your privacy rights have been violated, you should immediately contact the Meridian patient representatives with the Meridian entity from which you receive treatment or the Meridian Privacy Officer via telephone at 732.751.3448 or via correspondence to Privacy Officer, Meridian Health System, Monmouth Shores Corporate Park, 1355 Campus Pkwy., Neptune, New Jersey 07753

- We will not take action against you for filing a complaint.
- You also may file a complaint with the Secretary of U.S. Health and Human Services. If you have any questions or would like further information about our notice, please contact the Meridian patient representatives with the Meridian entity from which you receive treatment or the Meridian Privacy Officer.

This notice is effective as of August 13, 2013



# Notice of HIPAA Privacy Practices

## Joint HIPAA Privacy Notice

**This joint 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

This Joint Notice is being provided to you on behalf of Meridian Hospitals Corporation, Meridian Home Care Services, Inc., Meridian Nursing and Rehabilitation, Inc. ("Meridian") and the independent members and independent health professional affiliates of the Medical Staffs of Meridian (collectively with Meridian referred to herein as "Us", "We" or "Our") with respect to services provided by Meridian. Please note that the independent members and independent health professional affiliates of the Medical Staffs are neither employees nor agents of Meridian but are joined under this Privacy Notice for the convenience of explaining to patients their rights relating to the privacy of their protected health information (as defined below). 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" includes any individually identifiable information that We obtain from you or others that relates to your past, present or future physical or mental health, and the health care you have received, or payment for your health care.

We may share Protected Health Information between the Meridian providers and facilities as necessary to carry out treatment, payment or health care operations relating to the services rendered at Meridian facilities and as otherwise permitted and consistent with this notice. Where We may share your Protected Health Information between our providers and facilities, We may do so by means of electronic information exchange through a shared connected and secured network.

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 Protected Health Information. 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 Protected Health Information We maintain. You can always request a written copy of Our most current privacy notice from Meridian's Access Services Department, Health Information Department or the Meridian Privacy Officer or you can access it on the Meridian Web site at [www.MeridianHealth.com](http://www.MeridianHealth.com).

### Permitted Uses and Disclosures

We can use or disclose your Protected Health Information for purposes of *treatment, payment and health care operations*. For each of these categories of uses and disclosures, We have provided a sample description.

However, not every particular use or disclosure that We may make in every category will be listed.

- **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 a broken leg 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.
- **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 Protected Health Information for payment purposes (e.g. HIV, drug treatment, etc.), and We will ask you to sign a release when necessary under applicable law.
- **Health care operations** means the support functions of Meridian, related to treatment and payment, such as quality assurance activities, case management, receiving and responding to patient comments and complaints, physician reviews, compliance programs, audits, business planning, development, management and administrative activities. For example, We may use your Protected Health Information to evaluate the performance of Our staff when caring for you. We may also combine health information about many patients 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 patient information so that others can use the de-identified information to study health care and health care delivery without learning who you are.

## Notice of HIPAA Privacy Practices – Joint HIPAA Privacy Notice

### Other Uses and Disclosures of Protected Health Information

In addition to using and disclosing your information for treatment, payment and health care operations, We may use your Protected Health Information in the following ways:

- We may contact You to provide appointment reminders for treatment or medical care.
- We may disclose to your family or friends, or any other individual identified by you, Protected Health Information directly related to such person's involvement in your care or the payment for your care. We may use or disclose your Protected Health Information 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.
- We may include certain limited information about you in the Meridian directory while you are a patient at a Meridian facility. This information may include your name, location in Meridian or the surrounding community, 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 a member of the clergy, such as a priest or rabbi, even if they do not ask for you by name. This will allow your general condition to be disclosed to family, friends, and clergy who visit you in Meridian so they generally know how you are doing. You may request that your information not be listed in the directory.
- When permitted by law, we may coordinate our uses and disclosures of Protected Health Information with public or private entities authorized by law or by charter to assist in disaster relief efforts.
- 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 Protected Health Information, when we determine, in Our professional judgment that it is in your best interest to make such disclosures.
- Subject to applicable law, We may make incidental uses and disclosures of Protected Health Information. Incidental uses and disclosures are by-products of otherwise permitted uses or disclosures which are limited in nature and cannot be reasonably prevented.
- We may contact you as part of our fund-raising efforts as permitted by applicable law. You have the right to opt-out of receiving future fundraising communications and may do so at any time.

- We may use or disclose your Protected Health Information 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 patients who received a particular medication. All research projects are subject to a special approval process, which balances research needs with a patient's need for privacy. When required, We will obtain a written authorization from you prior to using your health information for research.
- We will use or disclose Protected Health Information about you when We are required to do so 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:

- **Organ and Tissue Donation.** If you are an organ donor, We may release Protected Health Information 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.
- **Military and Veterans.** If you are a member of the Armed Forces, we may release Protected Health Information about you as required by military command authorities. We may also release health information about foreign military personnel to the appropriate foreign military authority.
- **Worker's Compensation.** We may release Protected Health Information about you for programs that provide benefits for work-related injuries or illnesses.
- **Occupational Health.** We may disclose your Protected Health Information to your employer in accordance with applicable law, if We are retained to conduct an evaluation relating to medical surveillance of your workplace or to evaluate whether you have a work-related illness or injury. You will be notified of these disclosures by your employer or Meridian as required by applicable law.
- **Public Health Activities.** We may disclose Protected Health Information about you for public health activities, including disclosures:
  - to prevent or control disease, injury or disability;
  - to report births and deaths;
  - 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;
  - 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;

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- to notify the appropriate government authority if we believe that an adult patient has been the victim of abuse, neglect or domestic violence. We will only make this disclosure if the patient agrees or when required or authorized by law.
  - **Health Oversight Activities.** We may disclose Protected Health Information 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.
  - **Lawsuits and Disputes.** If you are involved in a lawsuit or a dispute, we may disclose Protected Health Information about you in response to a court or administrative order. We may also disclose Protected Health Information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if Meridian is given assurances that efforts have been made by the person making the request to tell you about the request or to obtain an order protecting the information requested.
  - **Law Enforcement.** We may release Protected Health Information if asked to do so by a law enforcement official:
    - In response to a court order, subpoena, warrant, summons or similar process;
    - To identify or locate a suspect, fugitive, material witness, or missing person;
    - About the victim of a crime under certain limited circumstances;
    - About a death we believe may be the result of criminal conduct;
    - About criminal conduct on Our premises; and
    - 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.
  - **Coroners, Medical Examiners and Funeral Directors.** We may release Protected Health Information 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 Protected Health Information about patients to funeral directors as necessary to carry out their duties.
  - **National Security and Intelligence Activities.** We may release Protected Health Information about you to authorized Federal officials for intelligence, counterintelligence, or other national security activities authorized by law.
  - **Protective Services for the President and Others.** We may disclose Protected Health Information 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.
  - **Inmates.** If you are an inmate of a correctional institution or under the custody of a law enforcement official, We may release Protected Health Information 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.
  - **Serious Threats.** As permitted by applicable law, We may use and disclose Protected Health Information 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 Protected Health Information 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. We will obtain your specific authorization or release before using or disclosing these types of information where We are required to do so by such applicable State and Federal laws. However, We may be permitted to use and disclose such information to Our physicians to provide you with treatment.**
- Other Uses of Your Health Information**  
Other uses and disclosures of Protected Health Information not covered by this notice or the laws that apply to Us will be made only with your permission in a written authorization. You have the right to revoke that authorization at any time, provided that the revocation is in writing, except to the extent that We already have taken action in reliance upon your authorization. We will always obtain your permission in a written authorization for the following uses and disclosures of Protected Health Information, as applicable:
- **Psychotherapy Notes.** We must obtain your written authorization to use and disclose psychotherapy notes, except for certain limited treatment, payment and health care operations purposes.

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- **Marketing.** We must obtain your written authorization to use and disclose your Protected Health Information for marketing purposes. We may, however, provide you with certain materials or communications face-to-face, or give you promotional gifts of nominal value.
- **Sale of PHI.** We must obtain your written authorization to disclose your Protected Health Information where We would “sell” or receive any money or other value in exchange for disclosing your Protected Health Information to a third party, except as otherwise permitted by law.

### Your Rights

1. You have the right to request restrictions on Our uses and disclosures of Protected Health Information for treatment, payment and health care operations. However, We are not required to agree to your request unless the request would restrict disclosure to your health plan(s) for payment or health care operations purposes and the request relates solely to a health care item or service that you or your personal representative have paid Us in full and out of your own pocket for. To request a restriction, you must make your request in writing to the Meridian Privacy Officer.
2. You have the right to reasonably request to receive confidential communications of Protected Health Information by alternative means or at alternative locations. To make such a request, you must submit your request in writing to the Meridian Privacy Officer.
3. You have the right to inspect and to receive copies, including electronic copies where We maintain your Protected Health Information electronically, within the time frame outlined by State law the Protected Health Information contained in your medical and billing records and in any other medical records used by Us to make decisions about you, except:
  - i. for psychotherapy notes, which are notes that have been recorded by a mental health professional documenting or analyzing the contents of conversations during a private counseling session or a group, joint or family counseling session and that have been separated from the rest of your medical record;
  - ii. for information compiled in reasonable anticipation of, or for use in, a civil, criminal, or administrative action or proceeding;
  - iii. for Protected Health Information involving laboratory tests when your access is restricted by law;
  - iv. if you are a prison inmate, obtaining a copy of your information may be restricted if it would jeopardize your health, safety, security, custody, or rehabilitation or that of other inmates, or the safety of any officer, employee, or other person at the correctional institution or person responsible for transporting you;

- v. if We obtained or created Protected Health Information as part of a research study, your access to the Protected Health Information may be restricted for as long as the research is in progress, provided that you agreed to the temporary denial of access when consenting to participate in the research;
- vi. for Protected Health Information contained in records kept by a Federal agency or contractor when your access is restricted by law; and
- vii. for Protected Health Information obtained from someone other than us under a promise of confidentiality when the access requested would be reasonably likely to reveal the source of the information.

In order to inspect and copy your Protected Health Information, you must submit your request in writing to the Meridian Privacy Officer. If you request a copy of your Protected Health Information, we may charge you a fee for the costs of copying and mailing your records, as well as other costs associated with your request.

We may also deny a request for access to Protected Health Information if:

- a licensed health care professional has determined, in the exercise of professional judgment, that the access requested is reasonably likely to endanger your life or physical safety or that of another person;
- the Protected Health Information makes reference to another person (unless such other person is a health care provider) and a licensed health care professional has determined, in the exercise of professional judgment, that the access requested is reasonably likely to cause substantial harm to such other person; or
- the request for access is made by the individual's personal representative and a licensed health care professional has determined, in the exercise of professional judgment, that the provision of access to such personal representative is reasonably likely to cause substantial harm to you or another person.

If we deny a request for access for any of the three reasons described above, then you have the right to have Our denial reviewed in accordance with the requirements of applicable law.

4. You have the right to request an amendment to your Protected Health Information, but We may deny your request for amendment, if We determine that the Protected Health Information or record that is the subject of the request:
  - i. was not created by Us, unless you provide a reasonable basis to believe that the originator of Protected Health Information is no longer available to act on the requested amendment;

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- ii. is not part of your medical or billing records or other records used to make decisions about you;
- iii. is not available for inspection as set forth above; or
- iv. is accurate and complete.

In any event, any agreed upon amendment will be included as an addition to, and not a replacement of, already existing records. In order to request an amendment to your health information, you must submit your request in writing to the Meridian Privacy Officer, along with a description of the reason for your request.

5. You have the right to receive an accounting of disclosures of Protected Health Information made by Us to individuals or entities other than to you for the six (6) years prior to your request,

To request an accounting of disclosures of your Protected Health Information, you must submit your request in writing to the Meridian Privacy Officer. Your request must state a specific time period for the accounting (e.g., the past three (3) months). The first accounting you request within a twelve (12) month period will be free. For additional accountings, we may charge you for the reasonable costs of providing the list. We will notify you of the costs involved, and you may choose to withdraw or modify your request at that time before any costs are incurred.

6. You have a right to notice in the event a breach occurs affecting your unsecured Protected Health Information. We make every effort to safeguard the privacy and security of your Protected Health Information as required by law.

### **Complaints**

If you believe that your privacy rights have been violated, you should immediately contact the Meridian patient representatives with the Meridian entity from which you receive (d) treatment or the Meridian Privacy Officer. We will not take action against you for filing a complaint. You also may file a complaint with the Secretary of U.S. Health and Human Services.

### **Contact Person**

If you have any questions or would like further information about this notice, please contact the Meridian patient representatives with the Meridian entity from which you receive(d) treatment or the Meridian Privacy Officer via telephone at 732.751.3448 or via correspondence to Privacy Officer, Meridian Health System, Monmouth Shores Corporate Park, 1355 Campus Pkwy., Neptune, New Jersey 07753.

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