

# HIPAA Privacy and Security Rules

## Commitment to Your Privacy

*MD Plus is dedicated to maintaining the privacy of your medical information.*



MD Plus enforces the **HIPAA Privacy and Security Rules**, which protects the privacy of individually identifiable health information; The HIPAA Security Rule sets the national standards for the security of electronic protected health information. In summary, your health information will not be shared without your prior consent.

## Notice of Privacy Practices

**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.**

MD Plus is dedicated to maintaining the privacy of your protected health information ('PHI'). PHI is information about you that may be used to identify you (such as your name, social security number or address), and that relates to (a) your past, present or future physical or mental health or condition, (b) the provision of health care to you, or (c) your past, present, or future payment for the provision of health care. In conducting its business, MD Plus will receive and create records containing your PHI. MD Plus is required by law to maintain the privacy of your PHI and to provide you with notice of its legal duties and privacy practices with respect to your PHI.

MD Plus agrees to abide by the terms of this Notice while it is in effect. This current Notice takes effect on January 15, 2011, and will remain in effect until MD Plus replaces it. MD Plus reserves the right to change the terms of this Notice at any time, as long as the changes are in compliance with applicable law. If MD Plus changes the terms of this Notice, the new terms will apply to all PHI that it maintains, including PHI that was created or received before such changes were made. If MD Plus changes this Notice, it will post the new Notice on its Web site and will make the new Notice available upon request.

## Uses and Disclosures of PHI

*MD Plus may use and disclose your PHI in the following ways:*

1. Treatment, Payment and Health Care Operations. MD Plus is permitted to use and disclose your PHI for purposes of (a) treatment, (b) payment and (c) health care operations. For example:

- Treatment. MD Plus may disclose your PHI to another physician or health care provider for purposes of a consultation or in connection with the provision of follow-up treatment.
- Payment. MD Plus may use and disclose your PHI to your health insurer or health plan in connection with the processing and payment of services and other charges.
- Health Care Operations. MD Plus may use and disclose your PHI in connection with its health care operations, such as providing customer services and conducting quality review assessments. MD Plus may engage third parties to provide various services for MD Plus. If any such third party must have access to your PHI in order to perform its services, MD Plus will require that third party to enter an agreement that binds the third party to the use and disclosure restrictions outlined in this Notice.

2. Authorization. MD Plus is permitted to use and disclose your PHI upon your written or recorded tele-phonetic authorization, to the extent such use or disclosure is consistent with your authorization. You may revoke any such authorization at any time.

3. As Required by Law. MD Plus may use and disclose your PHI to the extent required by law.

## Special Circumstances

*The following categories describe unique circumstances in which MD Plus may use or disclose your PHI:*

1. **Public Health Activities** MD Plus may disclose your PHI to public health authorities or other governmental authorities for purposes including preventing and controlling disease, reporting child abuse or neglect, reporting domestic violence and reporting to the Food and Drug Administration regarding the quality, safety and effectiveness of a regulated product or activity. MD Plus may, in certain circumstances disclose PHI to persons who have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading a disease or condition.

2. **Workers' Compensation** MD Plus may disclose your PHI as authorized by, and to the extent necessary to comply with, workers' compensation programs and other similar programs relating to work-related illnesses or injuries.

3. **Health Oversight Activities.** MD Plus may disclose your PHI to a health oversight agency for authorized activities such as audits, investigations, inspections, licensing and disciplinary actions relating to the health care system or government benefit programs.

4. **Judicial and Administrative Proceedings.** MD Plus may disclose your PHI, in certain circumstances, as permitted by applicable law, in response to an order from a court or administrative agency, or in response to a subpoena or discovery request.

5. **Law Enforcement.** MD Plus may, under certain circumstances, disclose your PHI to law enforcement officials, such as for purposes of identifying or locating a suspect, fugitive, material witness or missing person.

6. **Decedents.** MD Plus may, under certain circumstances, disclose PHI to coroners, medical examiners and funeral directors for purposes such as identification, determining the cause of death and fulfilling duties relating to decedents.

7. **Organ Procurement.** MD Plus may, under certain circumstances, use or disclose PHI for the purposes of organ donation and transplantation.

8. **Research.** MD Plus may, under certain circumstances, use or disclose PHI that is necessary for research purposes.

9. **Threat to Health or Safety.** MD Plus may, under certain circumstances, use or disclose PHI if necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public.

10. **Specialized Government Functions.** MD Plus may, in certain situations, use and disclose PHI of persons who are, or were, in the Armed Forces for purposes such as ensuring proper execution of a military mission or determining entitlement to benefits. MD Plus may also disclose PHI to federal officials for intelligence and national security purposes.

## **Rights Regarding Your PHI**

*You have the following rights regarding the PHI maintained by MD Plus:*

1. **Confidential Communication.** You have the right to receive confidential communications of your PHI. You may request that MD Plus communicate with you through alternate means or at an alternate location, and MD Plus will accommodate your reasonable requests. You must submit your request in writing to MD Plus.

2. **Restrictions.** You have the right to request restrictions on certain uses and disclosures of PHI for treatment, payment or health care operations. You also have the right to request that MD Plus restrict its disclosures of PHI to only certain individuals involved in your care or the payment of your care. You must submit your request in writing to MD Plus. MD Plus is not required to comply with your request. However, if MD Plus agrees to comply with your request, it will be bound by such agreement, except when otherwise required by law or in the event of an emergency.

3. **Inspection and Copies.** You have the right to inspect and copy your PHI. You must submit your request in writing to MD Plus. MD Plus may impose a fee for the costs of copying, mailing, labor and supplies associated with your request. MD Plus may deny your request to inspect and/or copy your PHI in certain limited circumstances. If that occurs, MD Plus will inform you of the reason for the denial, and you may request a review of the denial.

4. **Amendment.** You have a right to request that MD Plus amend your PHI if you believe it is incorrect or incomplete, and you may request an amendment for as long as the information is maintained by MD Plus. You must submit your request in writing to MD Plus and provide a reason to support the requested amendment. MD Plus may, under certain circumstances, deny your request by sending you a written notice of denial. If MD Plus denies your request, you will be permitted to submit a statement of disagreement for inclusion in your records.

5. **Accounting of Disclosures.** You have a right to receive an accounting of all disclosures MD Plus has made of your PHI. However, that right does not include disclosures made for treatment, payment or health care operations, disclosures made to you about your treatment, disclosures made pursuant to an authorization, and certain other disclosures. You must submit your request in writing to MD Plus and you must specify the time period involved (which must be for a period of time less than six years from the date of the disclosure). Your first accounting will be free of charge. However, MD Plus may charge you for the costs involved in fulfilling any additional request made within a period of 12 months. MD Plus will inform you of such costs in advance, so that you may withdraw or modify your request to save costs.

6. **Paper Copy.** You have the right to obtain a paper copy of this Notice from MD Plus at any time upon request. To obtain a paper copy of this notice, please contact MD Plus by calling 1.888.625.2629.

7. **Complaint.** You may complain to MD Plus and to the Secretary of the Department of Health and Human Services if you believe that your privacy rights have been violated. To file a complaint with MD Plus, you must submit a statement in writing to MD Plus ATTN: Security Officer 2502 Rocky Point Drive #860, Tampa, Florida 33607