



# CALVERT HOSPICE PRIVACY NOTICE

## USE AND DISCLOSURE OF HEALTH INFORMATION

Calvert Hospice may use your health information (information that constitutes protected health information as defined in the Privacy Rule of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996) for purposes of providing treatment to you, obtaining payment for your care, and conducting health care operations. Calvert Hospice has established policies to guard against unnecessary disclosure of your health information.

## THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER WHICH AND PURPOSES FOR WHICH YOUR HEALTH INFORMATION MAY BE USED:

1. **To Provide Treatment.** Calvert Hospice may use your health information to coordinate care within Calvert Hospice and with others involved in your care, such as your Attending Physician, members of Calvert Hospice interdisciplinary team, and other health care professionals who have agreed to assist Calvert Hospice in coordinating care. For example, physicians involved in your care will need information about your symptoms in order to prescribe appropriate medications.
2. Calvert Hospice may also disclose your health care information to individuals outside of Calvert Hospice involved in your care including family members, clergy you have designated, pharmacists, suppliers of medical equipment, or other health care professionals that Calvert Hospice uses in order to coordinate your care.
3. **To Obtain Payment.** Calvert Hospice may include your health information in invoices to collect payment from third parties for the care you may receive from Calvert Hospice. For example, Calvert Hospice may be required by your health insurer to provide information regarding your health care status so that the insurer will reimburse you or Calvert Hospice. Calvert Hospice may also need to obtain prior approval from your insurer and may need to explain to the insurer your need for hospice care and the services that will be provided to you.
4. **To Conduct Health Care Operations.** Calvert Hospice may use and disclose health care information for its own operations in order to facilitate the function of Calvert Hospice and as necessary to provide quality care to all of Calvert Hospice's patients. Health care operations include such activities as:
  - Quality assessment and improvement activities.
  - Activities designed to improve health or reduce health care costs.
  - Protocol development, case management, and care coordination.
  - Contacting health care providers and patients with information about treatment alternatives and other related functions that do not include treatment.
  - Professional review and performance evaluation.
  - Training programs including those in which students, trainees, or practitioners in health care learn under supervision.
  - Training of non-health care professionals.
  - Accreditation, certification, licensing, or credentialing activities.
  - Review and auditing, including compliance reviews, medical reviews, legal services, and compliance programs.

- Business planning and development including cost management and planning related analyses and formulary development.
- Business management and general administrative activities of Calvert Hospice.
- Calvert Hospice may use your health information to evaluate its staff performance, combine your health information with other Hospice patients in evaluating how to more effectively serve all Hospice patients, and disclose your health information to Hospice staff and contracted personnel for training purposes.
- Calvert Hospice may use your health information to contact you or your family as part of general fundraising and community information mailings (unless you tell us you do not want to be contacted).
- For Fundraising Activities. Calvert Hospice may only use the following health information: your name, address, phone number, age, date of birth, gender, dates you received care at Calvert Hospice, treating physician, outcome, and health insurance status in order to contact you or your family to raise money for Calvert Hospice. Only the minimum amount of health information will be used to accomplish the purpose of the fundraising activity. If you do not want Calvert Hospice to contact you or your family, notify the Executive Director of Calvert Hospice at 410-535-0892 and indicate that you do not wish to be contacted.
- For Appointment Reminders. Calvert Hospice may use and disclose your health information to contact you as a reminder that you have an appointment for a home visit.
- For Treatment Alternatives. Calvert Hospice may use and disclose your health information to tell you about or recommend possible treatment options or alternatives that may be of interest to you.

**THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER WHICH AND PURPOSES FOR WHICH YOUR HEALTH INFORMATION MAY ALSO BE USED AND DISCLOSED:**

1. When Legally Required. Calvert Hospice will disclose your health information when it is required to do so by any Federal, State, or local law.
2. When There Are Risks to Public Health. Calvert Hospice may disclose your health information for public activities and purposes in order to:
  - Prevent or control disease, injury or disability, report disease, injury, vital events such as birth or death and the conduct of public health surveillance, investigations, and interventions.
  - Report adverse events, product defects, to track products or enable product recalls, repairs, and replacements and to conduct post-marketing surveillance and compliance with requirements of the Food and Drug Administration.
  - Notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease.
  - Notify an employer about an individual who is a member of the workforce as legally required.
3. To Report Abuse, Neglect Or Domestic Violence. Calvert Hospice is required to notify government authorities if Calvert Hospice believes a patient is the victim of abuse,

- neglect, or domestic violence. Calvert Hospice will make this disclosure only when specifically required or authorized by law or when the patient agrees to the disclosure.
4. **To Conduct Health Oversight Activities.** Calvert Hospice may disclose your health information to a health oversight agency for activities including audits, civil administrative or criminal investigations, inspections, licensure, or disciplinary action. Calvert Hospice, however, may not disclose your health information if you are the subject of an investigation and your health information is not directly related to your receipt of health care or public benefits.
  5. **In Connection With Judicial and Administrative Proceedings.** Calvert Hospice may disclose your health information in the course of any judicial or administrative proceeding in response to an order of a court or administrative tribunal as expressly authorized by such order or in response to a subpoena, discovery request or other lawful process, but only when Calvert Hospice makes reasonable efforts to either notify you about the request or to obtain an order protecting your health information.
  6. **For Law Enforcement Purposes.** Calvert Hospice may disclose your health information to a law enforcement official for law enforcement purposes as follows:
    - As required by law for reporting of certain types of wounds or other physical injuries pursuant to the court order, warrant, subpoena or summons, or similar process.
    - For the purpose of identifying or locating a suspect, fugitive, material witness, or missing person.
    - Under certain limited circumstances, when you are the victim of a crime.
    - To a law enforcement official if Calvert Hospice has a suspicion that your death was the result of criminal conduct including criminal conduct at Calvert Hospice.
    - In an emergency in order to report a crime.
  7. **To Coroners and Medical Examiners.** Calvert Hospice may disclose your health information to coroners and medical examiners for purposes of determining your cause of death or for other duties, as authorized by law.
  8. **To Funeral Directors.** Calvert Hospice may disclose your health information to funeral directors consistent with applicable law and if necessary, to carry out their duties with respect to your funeral arrangements. If necessary to carry out their duties, Calvert Hospice may disclose your health information prior to and in reasonable anticipation, of your death.
  9. **For Organ, Eye or Tissue Donation.** Calvert Hospice may use or disclose your health information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs, eyes, or tissue for the purpose of facilitating the donation and transplantation.
  10. **For Research Purposes.** Calvert Hospice may, under very select circumstances, use your health information for research. Before Calvert Hospice discloses any of your health information for such research purposes, the project will be subject to an extensive approval process. **In the Event of a Serious Threat to Health or Safety.** Calvert Hospice may, consistent with applicable law and ethical standards of conduct, disclose your health information if Calvert Hospice, in good faith, believes that such disclosure is necessary to prevent or lessen a serious and imminent threat to your health or safety or to the health and safety of the public.

11. For Specified Government Functions. In certain circumstances, the Federal regulations authorize Calvert Hospice to use or disclose your health information to facilitate specified government functions relating to military and veterans, national security and intelligence activities, protective services for the President and others, medical suitability determinations, and inmates and law enforcement custody.
12. For Worker's Compensation. Calvert Hospice may release your health information for worker's compensation or similar programs.

### **AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION**

Other than as stated above, Calvert Hospice will not disclose your health information other than with your written authorization. If you or your representative authorizes Calvert Hospice to use or disclose your health information, you may revoke that authorization in writing at any time.

### **YOUR RIGHTS WITH RESPECT TO YOUR HEALTH INFORMATION**

You have the following rights regarding your health information that Calvert Hospice maintains:

- Right to request restrictions. You may request restrictions on certain uses and disclosures of your health information. You have the right to request a limit on Calvert Hospice's disclosure of your health information to someone who is involved in your care or the payment of your care. However, Calvert Hospice is not required to agree to your request. If you wish to make a request for restrictions, please contact the Calvert Hospice Executive Director, at 410-535-0892.
- Right to receive confidential communications. You have the right to request that Calvert Hospice communicate with you in a certain way. For example, you may ask that Calvert Hospice only conduct communications pertaining to your health information with you privately with no other family members present. If you wish to receive confidential communications, please contact the Calvert Hospice Executive Director at 410-535-0892. Calvert Hospice will not request that you provide any reasons for your request and will attempt to honor your reasonable requests for confidential communications.
- Right to inspect and copy your health information. You have the right to inspect and copy your health information, including billing records. The request to inspect and copy records containing your health information must be made in writing to the Calvert Hospice Executive Director at PO Box 838 Prince Frederick, MD 20678 or fax 410-535-5677. Access to health information will be acted upon within 30 days, or you will be notified in writing the reason for the delay. If you request a copy of your health information, Calvert Hospice may charge a reasonable, cost-based fee for the costs of assembling and copying the information you request.
- Right to amend health care information. You or your representative have the right to request that Calvert Hospice amend your records if you believe that your health information is incorrect or incomplete. That request may be made as long as the information is maintained by Calvert Hospice. A request for an amendment of records must be made in writing to the Calvert Hospice Executive Director, at 410-535-0892. Calvert Hospice may deny the request if it is not in writing or does not include a reason for the amendment. The request may also be denied if your health information records were not created by Calvert Hospice, if the records you are requesting are not part of Calvert Hospice's records, if the health information you wish to amend is not part of the health information you or your representative are permitted to inspect and copy, or if, in

the opinion of Calvert Hospice, the records containing your health information are accurate and complete.

- Right to an accounting. You or your representative have the right to request an accounting of disclosures of your health information made by Calvert Hospice for certain reasons, including reasons related to public purposes authorized by law and certain research. The request for an accounting must be made in writing to the Calvert Hospice Executive Director. The request should specify the time period for the accounting starting on June 29, 2010. Accounting requests may not be made for periods of time in excess of six (6) years. Calvert Hospice would provide the first accounting you request during any 12-month period without charge. Subsequent accounting requests may be subject to a reasonable cost-based fee.
- Right to a paper copy of this notice. You or your representative has a right to a separate paper copy of this Notice at any time even if you or your representative have received this Notice previously. To obtain a separate paper copy, please contact the Calvert Hospice Executive Director at 410-535-0892. A Calvert Hospice patient or a representative may also obtain a copy of the current version of Calvert Hospice's Notice of privacy practices at its website, [www.calverthospice.org](http://www.calverthospice.org).

#### **DUTIES OF CALVERT HOSPICE**

Calvert Hospice is required by law to maintain the privacy of your health information and to provide to you and your representative this Notice of its duties and privacy practices. Calvert Hospice is required to abide by terms of this Notice as may be amended from time to time. Calvert Hospice reserves the right to change the terms of its Notice and to make the new Notice provisions effective for all health information that it maintains. If Calvert Hospice changes its Notice, Calvert Hospice will provide a copy of the revised Notice to you or your appointed representative. You or your personal representative have the right to express complaints to Calvert Hospice and to the Secretary of Health and Human Services if you or your representative believe that your privacy rights have been violated. Any complaints to Calvert Hospice should be made in writing to the Executive Director, Calvert Hospice, P.O. Box 838, Prince Frederick, MD 20678. Calvert Hospice encourages you to express any concerns you may have regarding the privacy of your information. If you file a complaint, there will be no discrimination, reprisal or interruption of care, treatment, or services.

#### **CONTACT PERSON**

Calvert Hospice's contact person for all issues regarding patient privacy and your rights under the Federal privacy standards is the Executive Director, 410-535-0892, P.O. Box 838, Prince Frederick, MD 20678.

#### **EFFECTIVE DATE**

This Notice is effective October 1, 2013

If you have any questions regarding this notice, please contact the Executive Director, Calvert Hospice, 410-535-0892