



## 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.**

Your confidential medical information is defined under federal law as “protected health information” (“PHI”). When NECS retains your confidential medical information on its computer system, it is called “electronic protected health information” (“ePHI”). This Notice applies to all PHI and ePHI related to your care that NECS has created or received. It also applies to any personal or general information NECS receives from patients including information contained on driver’s licenses. If you see other medical personnel or use hospitals, they may have other practices or policies about how your protected information is handled.

Each time you visit us, we keep a record of your care and treatment. We take the protection of your personal information seriously. We are required to provide you with this Notice of Privacy Practices to tell you about our legal duties and ways we may use and share your information, and to inform you about your rights regarding your health information. We give a small number of examples to describe what the categories mean, but not every use and disclosure can be listed on this notice.

You have a right to a paper or electronic copy of the Notice of Privacy Practices.

This notice is effective as of: 3/15/2022. We will ask you to sign a written acknowledgement of receipt of our Notice. We reserve the right to change the terms of this Notice and post the current Notice in our office. You may obtain an updated Notice from our practice at any time.

*If you have any questions about this Notice of Privacy Practices, please contact our Privacy Officer: Stephanie Thebarga at 207-303-3213.*

### **How We May Use and Disclose Protected Health Information**

**For Treatment:** We will use and disclose your protected health information to provide, coordinate, or manage your healthcare and related services in our office or with a third party. For example, we may share your protected health information with a pharmacy for filling prescriptions, a laboratory or imaging center if you need diagnostic services, with a specialist to whom we refer you, or with a home health agency that provides care to you. We may share information with persons involved in your care, such as family members.

For Payment: We will use your protected health information to get paid for your healthcare services. We may share information with your insurance company to obtain payment for services or to seek pre-approval for services.

For Our Healthcare or Business Operations: We may disclose your protected health information to support the business activities of this office, such as reviewing our care and our employees, for education and training, to support our electronic health record system, or for legal or accounting matters. After checking in at the reception desk, we may call you by name when we are ready to see you, and we may contact you to remind you of your appointment. If we involve third parties, such as billing services, in our business activities, we will have them sign a “business associate agreement” obligating them to safeguard your protected health information according to the same legal standards we follow.

When Allowed by Law: The law allows us to use or disclose your protected health information in certain situations, including:

- When required by state or federal law;
- To report abuse or neglect;
- To persons authorized by law to act on your behalf, such as a guardian, health care power of attorney or surrogate;
- For disaster relief purposes, such as to notify family about you whereabouts and condition;
- For public health activities such as reporting on or preventing certain diseases;
- To comply with Food and Drug Administration requirements;
- For health oversight purposes such as reporting to Medicare, Medicaid or licensing audits, investigations or inspections;
- When required by U.S. Department of Health and Human Services to determine our compliance;
- In connection with Workers’ Compensation claims for benefits; and
- To assist coroners or funeral directors in carrying out their duties.
- To comply with a valid court order, subpoena or other appropriate administrative or legal request if you are involved in a lawsuit or to assist law enforcement where there was a possible crime on the premises. We may also share your information where necessary to prevent or lessen a serious or imminent threat to you or another.
- If you are an inmate, we may release your information for your health or safety in the correctional facility. We may share your information with appropriate military entities if you are a member or

veteran of the armed forces. We may be required to disclose information for national security or intelligence purposes.



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**With Your Authorization:** Other uses and disclosures will be made only with your written authorization. For example, we will ask your written permission before promoting a product or service to you for which we will be paid by a company, and generally before sharing your health information in a way that is considered a sale under law. If you sign an authorization, you may revoke it any time, except when we have already shared your information based upon your permission.

**Your Rights:** Following is a statement of your rights with respect to your protected health information.

### **You have the right to access, inspect and copy your protected health information.**

- This usually includes medical and/or billing records. You must submit a written request to us and agree to pay the reasonable costs associated with complying with your request before we provide you with your record.
- You may ask us to provide your electronic record in electronic format. If we are unable to provide your record in the format you request, we will provide the record in a form that works for you and your office. You may ask us to transmit your record to a specific person or entity by making a written, signed request. You may request the information be sent via our email system if you sign a statement that you understand that email comes with inherent risks for which our office is not responsible.
- Under certain circumstances, your provider may not allow you to see or access certain parts of your record. You may ask that this decision be reviewed by another licensed professional.

**You have the right to request to receive confidential communications,** and request contact from us by **alternative means** or at an alternative location.

### **You have the right to request a restriction of your protected health information.**

- This means you may ask us not to use or disclose all or part of your protected health information for certain purposes. We will consider your request carefully and may honor reasonable requests where possible. The law does not require us to agree with every request.

- However, if you wish to restrict certain sensitive or other health information from your insurer after you or your personal representative have paid out of pocket in full for your services; please discuss this request with us. We will honor your request where we are not required by law to make the disclosure. You will need to make a new restriction request at each office visit. If your insurance plan “bundles” your services together so that we cannot withhold only one item or service from your claim, we will discuss your options with you.
- You may also request that any part of your protected health information not be disclosed to family members or friends who may be involved in your care or for notification purposes as described in this Notice of Privacy Practices. Your request must state the specific restriction requested and to whom you want the restriction to apply.

**You have the right to receive an accounting of certain disclosures** we have made of your protected health information. Please speak with us if you have this request.

**You may have the right to request amendment of your protected health information.** While we cannot erase your record, we may add your written statement to your protected health information to correct or clarify the record where your provider approves. If the provider disapproves, you may submit a statement of disagreement and we may submit a rebuttal, which will remain with your record.

**Fundraising.** You have the right to opt-out of any fundraising solicitation or communication.

**Breach Notification.** We are required to have safeguards in place that protect your health information. In the event that there is a breach of those protections, we will notify you, the U.S. Department of Health and Human Services and others, as the law requires.

### **Right Regarding Out-of-Pocket Payments**

You may also request a restriction on disclosure of PHI to a health plan for purposes of payment or health care operations if you paid for the services out of your own pocket, in full. This does not apply to services that are covered by insurance. You are required to pay cash, in full, for the services before the restriction applies.

**You may file a complaint with us** by notifying our Privacy Officer with your written complaint. We will not retaliate against you for filing a complaint with us or the Office of Civil Rights.

**You may complain to the Office of Civil Rights at the Department of Health and Human Services (OCR)** if you believe your privacy rights have been violated by us. You should contact the OCR in writing at: <http://www.hhs.gov/ocr/privacy/hipaa/complaints/index.html>

This Notice of Privacy Practices shall not be construed as a contract or legally binding agreement. Any non-compliance with any provision of this Notice shall not be construed as a breach of contract, breach of confidentiality, invasion of privacy, misappropriation of name or likeness, violation of any consumer protection law, negligence or violation of any state law. By signing the Acknowledgment of Receipt of this Notice, you agree that the sole legal recourse for our non-compliance with this Notice is to file a written complaint to the Secretary of the U.S. Department of Health and Human Services, and that no complaint or

cause of action may be filed in any federal or state court for breach of contract, breach of confidentiality, invasion of privacy, misappropriation of name or likeness, violation of any consumer protection law, negligence or violation of any state law, or under any tort theory.