



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.

I. WHO WE ARE

This Notice describes the privacy practices of Ferrell Hospital (“we” or “us” or “FH”). It also applies to independent health care providers while providing services in our facilities, such as physicians, who are not employed by us but who attend patients in our facilities. This Notice, however, does not govern the privacy practices of these other health care providers for services they provide outside of our facilities.

II. OUR PRIVACY OBLIGATIONS

We are required by law to maintain the privacy of your health information (“Protected Health Information” or “PHI”), to provide you with this Notice of our legal duties and privacy practices with respect to your Protected Health Information, and to notify you if your unsecured protected health information has been breached. When we use or disclose your Protected Health Information, we are required to abide by the terms of this Notice (or other notice in effect at the time of the use or disclosure).

III. PERMISSIBLE USES AND DISCLOSURES WITHOUT YOUR WRITTEN AUTHORIZATION

In certain situations, which we will describe in Section IV below, we must obtain your written authorization in order to use and/or disclose your PHI. However, we do not need any type of authorization from you for the following uses and disclosures:

- A. **Uses and Disclosures for Treatment, Payment, and Health Care Operations.** We may use and disclose PHI, but not your “Highly Confidential Information” (defined in Section IV.C below), in order to treat you, obtain payment for services provided to you and conduct our “health care operations” as detailed below:

Treatment. We use and disclose your Protected Health Information to provide treatment and other services to you – for example, to diagnose and treat your injury or illness. In addition, we may contact you to provide appointment reminders or information about treatment alternatives or other health – related benefits and services that may be of interest to you. We may also disclose Protected Health Information to other providers involved in your treatment.

Payment. We may use and disclose your Protected Health Information to obtain payment for services that we provide to you – for example, disclosures to claim and obtain payment from Medicare, Medicaid, your health insurer, HMO, or other company or program that arranges or pays the cost of some or all of your health care (“Your Payor”) to verify that your payor will pay for health care. We may also use and disclose your information to a third party who provides collection services on behalf of Ferrell Hospital such as a company that prints and mails your bills.

Health Care Operations. We may use and disclose your Protected Health Information for our health care operations, which include internal administration and planning and various activities that improve the quality and cost effectiveness of the care that we deliver to you. For example, we may use Protected Health Information to evaluate the quality and competence of our physicians, nurses, and other health care workers. We may disclose Protected Health Information to our Patient Relations Coordinator in order to resolve any complaints you may have and ensure that you have a comfortable visit with us. We may also disclose Protected Health Information in the course of other health care operations such as participating in medical, nursing or other clinical training programs or we may also disclose Protected Health Information to your other health care providers when such Protected Health Information is required for them to treat you, receive payment for services they render to you, or conduct certain health care operations, such as quality assessment and improvement activities, reviewing the quality and competence of health care professionals, or for health care fraud and abuse detection or compliance.

- B. **Use or Disclosure for Directory of Individuals in Ferrell Hospital.** We may include your name, your location in Ferrell Hospital, general health condition and religious affiliation in a patient directory without obtaining your authorization *unless* you object to inclusion in the directory or are located in a specific ward, wing or unit the identification of which would reveal that you are receiving treatment for a mental illness or developmental disability, HIV/AIDS or substance abuse. Information in the directory may be disclosed to anyone who asks for you by name or members of the clergy; provided, however, that religious affiliation will only be disclosed to members of the clergy.
- C. **Disclosure to Relatives, Close Friends, and Other Caregivers.** We may use or disclose your Protected Health Information to a family member, other relative, a close personal friend or any other person identified by you when you are present for, or otherwise available prior to, the disclosure, if we (1) obtain your agreement; (2) provide you with the opportunity to object to the disclosure and you do not object; or (3) reasonably infer that you do not object to the disclosure.

If you are not present, or the opportunity to agree or object to a use or disclosure cannot practicably be provided because of your incapacity or an emergency circumstance, we may exercise our professional judgment to determine whether disclosure is in your best interests. If we disclose information to a family member, other relative or a close personal friend, we would disclose only information that we believe is directly relevant to the person's involvement with your health care or payment related to your health care. We may also disclose your Protected Health Information in order to notify (or assist in notifying) such persons of your location, general health condition, or death.

- D. **Fundraising Communications.** We may contact you to request a tax – deductible contribution to support important activities of Ferrell Hospital. In connection with any fundraising, we may disclose to our fundraising staff demographic Protected Health Information, information about you (e.g., your name, address, and telephone number), and dates on which we provided health care to you, without your written authorization.
- E. **Public Health Activities.** We may disclose your Protected Health Information for the following public health activities: (1) to report health information to public health authorities for the purpose of preventing or controlling disease, injury, or disability; (2) to report child abuse and neglect to the Illinois Department of Children and Family Services or other government authorities authorized by law to receive such reports; (3) to report information about products or services under the jurisdiction of the U.S. Food and Drug Administration; (4) to alert a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading a disease or condition; and (5) to report information to your employer as required under laws addressing work-related illnesses and injuries or workplace medical surveillance.
- F. **Victims of Abuse, Neglect, or Domestic Violence.** If we reasonably believe you are a victim of abuse, neglect, or domestic violence, we may disclose your Protected Health Information to the Illinois Department of Children and Family Services, the Illinois Department of Human Services or other governmental authority, including a social service or protective services agency, authorized by law to receive reports of such abuse, neglect, or domestic violence.
- G. **Health Oversight Activities.** We may disclose your Protected Health Information to a health oversight agency that oversees the health care system and is charged with responsibility for ensuring compliance with the rules of government health programs such as Medicare or Medicaid.
- H. **Judicial and Administrative Proceedings.** We may disclose your Protected Health Information in the course of a judicial or administrative proceedings in response to a legal order or other lawful process.
- I. **Law Enforcement Officials.** We may disclose your Protected Health Information to the police or other law enforcement officials as required or permitted by law or in compliance with a court order or a grand jury or administrative subpoena.
- J. **Decedents.** We may disclose your Protected Health Information to a coroner or medical examiner as authorized by law.
- K. **Organ and Tissue Procurement.** We may disclose your Protected Health Information to organizations that facilitate organ, eye or tissue procurement, banking or transplantation.
- L. **Research.** We may use or disclose your Protected Health Information without your consent or authorization if our Institutional Review Board approves a waiver of authorization for disclosure.
- M. **Health or Safety.** We may use or disclose your Protected Health Information to prevent or lessen a serious or imminent threat to a person's or the public's health or safety.
- N. **Specialized Government Functions.** We may use and disclose your Protected Health Information to units of the government with special functions, such as the U.S. military or the U.S. Department of State under certain circumstances.

- O. **Worker's Compensation.** We may disclose your Protected Health Information as authorized by and to the extent necessary to comply with state law relating to workers' compensation or other similar programs.
- P. **As Required By Law.** We may use and disclose your Protected Health Information when required to do so by law not already referred to in the preceding categories.

IV. USES AND DISCLOSURES REQUIRING YOUR WRITTEN AUTHORIZATION

- A. **Use or Disclosure with Your Authorization.** For any purpose other than the ones described above in Section III, we only may use or disclose your Protected Health Information when you grant us your written authorization on our authorization form ("Your Authorization"). For instance, you will need to execute an authorization form before we can send your Protected Health Information to your life insurance company or to the attorney representing the other party in litigation in which you are involved.
- B. **Marketing.** We must also obtain your written authorization ("Your Marketing Authorization") prior to using your Protected Health Information to send you any marketing materials. (We can, however, provide you with marketing materials in a face-to-face encounter without obtaining your marketing authorization. We are also permitted to give you a promotional gift of nominal value, if we so choose, without obtaining your marketing authorization.) In addition, we may communicate with you about products or services relating to your treatment, case management or care coordination, or alternative treatments, therapies, providers or care settings without your marketing authorization.
- C. **Uses and Disclosures of Your Highly Confidential Information.** In addition, federal and Illinois law requires special privacy protections for certain highly confidential information about you ("Highly Confidential Information"), including, the subset of your Protected Health Information that: (1) is maintained in psychotherapy notes; (2) is about mental health and developmental disabilities services; (3) is about alcohol and drug abuse prevention, treatment and referral; (4) is about HIV/AIDS testing, diagnosis or treatment; (5) is about venereal disease(s); (6) is about genetic testing; (7) is about child abuse and neglect; (8) is about domestic abuse of an adult with a disability; or (9) is about sexual assault. In order for us to disclose your Highly Confidential Information for a purpose other than those permitted by law, we must obtain your written authorization.

V. YOUR RIGHTS REGARDING YOUR PROTECTED HEALTH INFORMATION

- A. **For Further Information; Complaints.** If you desire further information about your privacy rights, are concerned that we have violated your privacy rights or disagree with a decision that we made about access to your Protected Health Information, you may contact our Privacy Officer. You may also file written complaints with the Director, Office for Civil Rights of the U.S. Department of Health and Human Services. Upon request, the Privacy Officer will provide you with the correct address for the Director. We will not retaliate against you if you file a complaint with the Director or Ferrell Hospital.
- B. **Right to Request Additional Restrictions.** You may make written requests for restrictions on our use and disclosure of your Protected Health Information (1) for treatment, payment, and health care operations, (2) to individuals (such as a family member, other relative, close personal friend or any other person identified by you) involved with your care or with payment related to your care, or (3) to notify or assist in the notification of such individuals regarding your location and general condition. (4) For any services for which you paid out-of-pocket in full, we will honor your request to not disclose information about these services to your health plan. While we will consider all requests for additional restrictions carefully, we are not required to agree to a requested restriction. If you wish to request additional restrictions, please obtain a request form from our Privacy Officer and submit the completed form to the Privacy Officer. We will send you a written response.
- C. **Right to Receive Confidential Communications.** You may request, and we will accommodate, any reasonable written request for you to receive your Protected Health Information by alternative means of communication or at alternative locations.
- D. **Right to Revoke Your Authorization.** You may revoke Your Authorization, Your Marketing Authorization or any written authorization obtained with your Highly Confidential Information, except to the extent that we have taken action in reliance upon it, by delivering a written revocation statement to the Privacy Officer identified below. A form of Written Revocation is available upon request from the Privacy Officer.
- E. **Right to Inspect and Copy Your Health Information.** You may request access to your medical record file and billing records maintained by us in order to inspect and request copies of the records. Under limited circumstances, we may deny you access to a portion of your records. If you desire access to your records, please obtain a record request form from the Health Information Department at the facility where you were a patient and submit the completed form to the Director of Health Information. If you request copies, we will charge you \$0.50 to \$0.75 per page for copying costs and \$7.50 per hour of clerical work necessary to complete the requested copies. There will be a minimum charge of one hour for clerical work. For duplication of record material or information that cannot routinely be copied or duplicated on a standard commercial photocopy machine such as x-ray films or pictures, Ferrell Hospital may charge for the reasonable cost of such duplication. We will also charge you for our postage costs, if you request that we mail the copies to you.

- F. **Right to Amend Your Records.** You have the right to request that we amend Protected Health Information maintained in your medical record file or billing records. If you desire to amend your records, please obtain an amendment request form from the Director of Health Information and submit the completed form to the Director of Health Information. We will comply with your request unless we believe that the information that would be amended is accurate and complete or other special circumstances apply. In the case of a requested amendment concerning information about the treatment of a mental illness or developmental disability, you have the right to appeal our decision not to amend your Protected Health Information to an Illinois court.
- G. **Right to Receive an Accounting of Disclosures.** Upon request, you may obtain an accounting of certain disclosures of your Protected Health Information made by us during any period of time prior to the date of your request provided such period does not exceed six years and does not apply to disclosures that occurred prior to April 14, 2003. If you request an accounting more than once during a twelve (12) month period, an estimate of the cost will be provided at the time of the additional requests.
- H. **Right to Receive Paper Copy of this Notice.** Upon request, you may obtain a paper copy of this Notice, even if you have agreed to receive such notice electronically.

VI. EFFECTIVE DATE AND DURATION OF THIS NOTICE

- A. **Effective Date.** This Notice is effective on April 14, 2003.
- B. **Right to Change Terms of this Notice.** We may change the terms of this Notice at any time. If we change this Notice, we may make the new notice terms effective for all Protected Health Information that we maintain, including any information created or received prior to issuing the new notice. If we change this Notice, we will post the new notice in waiting areas around Ferrell Hospital and on our internet site. You also may obtain any new notice by contacting the Privacy Officer.

VII. PRIVACY OFFICER

You may contact the Privacy Officer at:

Privacy Officer
Ferrell Hospital
1201 Pine Street
Eldorado, IL 62930

Phone Number: (618) 273-3361