

# Villa St. Joseph

## 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.**

**The effective date of this notice is April 14, 2003.**

If you have any questions about this Notice, please contact:

Kathy Ensign, Administrator  
11901 Rosewood  
Overland Park, Ks. 66209  
913-345-1745  
email: kensign@carondelet.com

### OUR PLEDGE REGARDING MEDICAL INFORMATION

We will strive to protect your information. We create a record of the care and services you receive at our facilities. This notice applies to all of the records of your care generated by the Carondelet Health entities (CH) listed below. Your doctor may have different policies regarding your medical information created his/her office or clinic.

This Notice will tell you about the ways in we may use and disclose your medical information. It also describes your rights regarding your information

We are required by law to:

- Keep your medical information private;
- Give you this Notice of our privacy practices; and
- Follow the terms of our current Notice.

### WHO WILL FOLLOW THIS NOTICE

This Notice describes the practice of CH and all employees, health care professionals, and volunteers at CH.

Carondelet Health has entered into an arrangement (called an organized health care arrangement) with all Carondelet Health entities, and the physicians and the allied health professionals that may provide care to you while you are in a CH facility. This arrangement will help us treat you by allowing these facilities and providers share information about you. We will share your information to treat you, to get paid, for quality improvement and for management purposes. The following individuals and entities are part of this arrangement:

Carondelet Health	Saint Joseph Health Center
Carondelet Care Resources	Saint Joseph Health Center Foundation
Carondelet Home Care Services	St. Mary's Hospital of Blue Springs
Carondelet Hospice	St. Mary's Hospital of Blue Springs Foundation
Carondelet Infusion Services	St. Mary's Manor
Carondelet Manor	Villa Saint Joseph

Carondelet Medical Equipment Services	Physicians and other individuals providing care at any of these entities
Carondelet Pharmacy	

This arrangement does not affect, in any way, how your physician medically treats you. It does not affect your doctor's medical decisions about your care. It only affects how information about you is shared with your providers. **Your physicians or allied health professionals are not employees or agents of CH or any CH entity. Your physicians and allied health professionals make their own independent medical decisions about your care.**

This Notice does not cover your information in your doctor's office. You will receive another notice when you go to his/her office.

**HOW WE MAY USE AND DISCLOSE YOUR MEDICAL INFORMATION**

We need certain information to care for you. We also need information so that we can receive payment for our services. We will use and disclose your information in the ways described below. We have listed these uses and disclosures in categories. We have provided an example within each category. We did not list all of the uses and disclosures in each category.

- ❖ **Treatment** We may use and disclose your information to provide, coordinate or manage your care. For example, your information may be disclosed to people providing care to you. We may also disclose your information to outside entities performing other services related to your treatment. We may use your information to coordinate community services for you.
- ❖ **Payment** We may use and disclose your information for payment of the services and treatment provided to you. For example, we use your information to create a bill and send the bill to your insurance company, you, or a third party. The payor may request more information to determine whether the bill is covered by your insurance.
- ❖ **Health Care Operations** We may use and disclose your information for health care operations purposes. Health care operations include quality improvement, educational, business planning, and compliance activities. For example, we may take your photograph for medication identification purposes, or use your health information to evaluate the effectiveness of the care and services you are receiving.

You have the opportunity to object to the following uses and disclosures of your information.

- ❖ **Individuals Involved in Your Care or Payment for Your Care** Unless you object, we may release medical information about you to a family member, other relative, or any other person identified by you who is involved either in your care or payment for your care. This may include leaving phone messages. We may use your information to notify a family member, or another person responsible for your care, of your location, general condition, or death.
- ❖ **Facility Directory** We may include your name, location and phone number within our facility, and your general condition (e.g. fair, good, etc.) in our Facility Directory. This information may be released to people who ask for you by name.
- ❖ **Fundraising Activities** We may use your medical information to contact you to raise money for Carondelet Health. For this purpose, we would use only basic information, such as your name, address and phone number and the dates you were here. We will give you the opportunity to opt out of future fundraising efforts.
- ❖ **Disaster Relief** We may disclose your information to public or private agencies for disaster relief purposes.

We may also use and disclose your medical information for:

- ❖ **Notification of Clergy** We may only provide your name, location and phone number within the facility, and your general condition. Resident lists are not provided to clergy.
- ❖ **Communication Barriers** We may use and disclose your medical information with an interpreter to communicate with you. This interpreter will sign an agreement with us to keep your information private.
- ❖ **Appointments** We may use and disclose your medical information in order to arrange appointments for physician office visits, treatment procedures in hospitals / clinics and or transfers to other health care facilities.
- ❖ **Treatment Alternatives** We may use and disclose your medical information to tell you about or recommend possible treatment alternatives or health-related benefits or services.
- ❖ **Media Stories** We may use your information to identify you for a media story. If identified, you will be contacted to ask if you would like to participate. Your information will not be shared with the media without your written authorization.
- ❖ **Third Parties** We may disclose your medical information to third parties we contract with to perform services on our behalf. For example, we may use and disclose your information to a medical records consultant in order to evaluate the effectiveness of the care and services you are receiving.

We may also disclose your medical information to outside parties without your authorization in the following circumstances.

- ❖ **As Required By Law** We will disclose your medical information when required to do so by federal, state or local law. For example, when a federal, state or local law requires that we report information about suspected abuse, neglect, and misappropriation of funds.
- ❖ **Public Health Purposes** We may disclose your medical information for public health activities. For example:
  - Preventing or controlling disease, injury or disability;
  - Reporting births and deaths;
  - Reporting child abuse or neglect; and
  - Notifying a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition.
- ❖ **Health Oversight Activities**. We may disclose your medical information to a health oversight agency for activities authorized by law. These oversight activities might include audits, investigations, inspections, and licensure. For example, we may disclose your protected health information to a health oversight agency such as a protection and advocacy agency and or the state agency responsible for inspecting our facility.
- ❖ **Judicial Purposes**. We may disclose your medical information in response to a court or administrative order. We may disclose your medical information in response to a subpoena, or other lawful process, if you provide us with your authorization or we are required to by law.
- ❖ **Law Enforcement**. We may release medical information if asked to do so by a law enforcement official, if the disclosure is:
  - Required by law;
  - 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 property; and
  - In emergency circumstances 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.** In certain circumstances, we may disclose medical information to a coroner or medical examiner. For example, to identify a deceased person or determine the cause of death. We may also release medical information about patients to funeral directors as necessary to carry out their duties.
- ❖ **Organ and Tissue Donation.** We may disclose your medical information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, to facilitate organ, eye or tissue donation and transplantation.
- ❖ **Workers' Compensation.** We may disclose your medical information to comply with workers' compensation laws.
- ❖ **Research.** We may use and disclose your medical information for research purposes. For example, a research project may involve comparing the health and recovery of patients who received one drug to patients who received another drug for the same condition. We may use and disclose your information without your written authorization if this use or disclosure has been approved through an independent research approval process. We may also disclose your information to researchers preparing to conduct research.
- ❖ **To Avert a Serious Threat to Health or Safety.** We may use and disclose your medical information when we believe it is necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person
- ❖ **Specified Government Functions.** In certain circumstances, Federal law authorizes the government agencies to use or disclose your medical information to facilitate specified government functions relating to the military and veterans, national security and intelligence activities, and protective services for the President and others.
- ❖ **Change in Ownership.** In the event that Carondelet Health or one of its facilities is sold or merged with another company, your medical information will become the property of the new owner.
- ❖ **Limited Data Sets** In some cases involving Research, Public Health or Healthcare Operations, we may use or disclose information via a Limited Data Set that excludes all direct identifiers of the patient, patient's relatives or household members and employers. In these situations, we will enter into a data use agreement with the receiving party, which provides assurance that, the recipient will only use or disclose the information for the limited purpose.

## **OTHER USES OF MEDICAL INFORMATION**

Other uses and disclosures of medical information not covered by this Notice or the laws that apply to us will be made only with your written authorization. If you provide us with your authorization to use or disclose your medical information, you may revoke your authorization, in writing, at any time. If you revoke your authorization, we will no longer use or disclose medical information about you for the reasons covered by your authorization. You understand that we are unable to take back any disclosures we have already made under the authorization.

## **YOUR RIGHTS REGARDING YOUR MEDICAL INFORMATION**

You have the following rights regarding medical information we maintain about you:

- ❖ **Right to Request Restrictions.** You have the right to request a restriction or limitation of your medical information we use or disclose for treatment, payment or health care operations. You also have the right to request a restriction of your medical information we disclose about you to someone who is involved in your care or the payment for your care.

***We are not required to agree to your request.*** If we do agree, we will comply with your request unless the information is needed to provide you emergency treatment.

To request a restriction of the use or disclosure of your information, contact our Privacy Office Designee to obtain the form to make your request.

- ❖ **Right to Request Confidential Communications.** You have the right to request that we communicate with you or your responsible party about your health care in an alternative way or at a certain location. We will not ask you for the reasoning for your request but may ask for clarification. We will accommodate your request if it is reasonably within our means to do so. You may be required to make alternative payment arrangements.

To request confidential communications, contact our Privacy Officer Designee to obtain the form to make your request.

- ❖ **Right to Inspect and Copy.** You have the right to inspect and copy medical information that may be used to make decisions about your care such as medical and or billing records. We may charge a fee for the costs of copying, mailing or other supplies associated with your request.

To request to inspect or copy your records, contact our Privacy Officer Designee to obtain the form to make your request.

- ❖ **Right to Amend.** You have the right to ask us to amend your medical and/or billing information for as long as the information is kept by us.

We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that:

- Was not created by us, unless the person or entity that created the information is no longer available to make the amendment;
- Is not part of the medical information kept by or for us;
- Is not part of the information which you would be permitted to inspect and copy; or
- Is accurate and complete.

To request an amendment to your record, contact our Privacy Officer Designee to obtain the form to make your request.

- ❖ **Right to an Accounting of Disclosures.**

You have the right to receive an accounting of disclosures, a list of individuals and entities that have received your medical information. This list will not include an accounting for disclosures for treatment, payment and healthcare operations; disclosures made pursuant to an authorization; incidental disclosures; disclosures of information in the facility directory; disclosure for notification purposes, disaster relief purposes and to persons involved in your care; disclosures for national security or intelligence purposes; disclosures to correctional institutions or law enforcement officials having custody of you; disclosures as part of a limited data set; and disclosures made before April 14, 2003.

You may receive one free accounting during a twelve-month period. If you request more than one accounting you will be charged a fee. We will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred.

To request an accounting of disclosures, contact our Privacy Officer Designee to obtain the form to make your request.

- ❖ **Right to a Paper Copy of This Notice.** You have the right to a paper copy of this Notice. You may ask us to give you a copy of this Notice at any time. Even if you have agreed to receive this Notice electronically, you are still entitled to a paper copy of this Notice.

You may obtain a copy of this Notice at our web site at [www.carondelethealth.org](http://www.carondelethealth.org).

To obtain a paper copy of this Notice, contact our Privacy Officer Designee.

## **CHANGES TO THIS NOTICE**

We may change this Notice. We may make the revised Notice effective for medical information we already have about you as well as any information we receive in the future. We will post a copy of the current Notice in the lobby of our facility. The Notice is also available to you upon request. The effective date is on the first page of the notice.

## **COMPLAINTS**

If you believe your privacy rights have been violated, you may file a complaint with Carondelet Health or with the Secretary of the Department of Health and Human Services. To file a complaint with us, contact our Privacy Office Designee to obtain the form to file your complaint.

**You will not be penalized in any way for filing a complaint.**