

HIPAA Policies

At Orthopaedics Plus, we place the highest priority on a patient's right to privacy. We are committed to providing you and your family with exceptional care and forming a relationship that is built on trust. This means that we will endeavor to protect the confidentiality of your personal health information—whether this information is stored in a paper or electronic file. OP adheres to the requirements outlined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), as well as applicable Massachusetts General Laws, which ensure the privacy and security of an individual's health information and promotes privacy and trust between patients and their health care providers. We have detailed policies and procedures in place to safeguard your rights to privacy and confidentiality. Our Privacy Officer can also provide information on how we protect your health information and how you may request you or your child's health information.

As part of HIPAA requirements, all new patients seeing their health care provider, upon their initial visits, are required to sign the acknowledgement of receipt of Notice of Privacy Practices. Our Notice of Privacy Practices describes your rights to access your health information, how we (provider) may use or disclose your health information, and how to request changes to your health information.

What is HIPAA?

HIPAA or Public Law 104-191 was signed into law August 21, 1996. The Privacy Rule provides federal protections for personal health information held by a covered entity, such as Orthopaedics Plus.

Assurance

Your privacy is very important to OP. We do not allow access to your health information by those outside the Orthopaedics Plus providers unless we have the appropriate authorization to do so. We're also committed to safeguarding your personal information online. Our workforce members are trained in the appropriate use and disclosure of health information and know that it is available to provide care to you and for other legitimate purposes. We immediately address any violation of confidentiality or failure of a workforce member to protect your information from accidental or unauthorized access.

Notice of Patient Privacy Practices

In compliance with The Health Insurance Portability and Accountability Act (HIPAA), Orthopaedics Plus is informing you of your privacy rights. Please review the information below:

- Under HIPAA you have a right to request the following if a request is made in writing to the attention of the Privacy Officer and applicable fees are paid. There is a possibility that your request may be denied. If your request is denied, we will explain why it was denied in writing.
- You have a right to inspect and obtain a copy of your protected health information (PHI). We will respond to your request within 30 days. In most cases your request will be honored, and a copy of your PHI will be mailed to you.
- You have a right to request an amendment of PHI. If you feel that your PHI is inaccurate or incomplete, you may request an amendment to your PHI. We will respond to your request within 60 days. If we honor your request we will amend your PHI and notify you and applicable parties. We will deny your request if we determine your PHI to be correct or complete, if your request was not created by us, or if PHI is not available for inspection.
- You have the right to know what disclosure(s) of your PHI have been made. You have a right to request a listing of who your PHI was sent to, when it was sent, what content of your PHI was sent and for what purpose. We will respond to your request within 60 days. There will be no charge to you for an initial request. Additionally, your request may not include disclosures made for national security reasons, to law enforcement officials/correctional facilities, or disclosures made prior to April 14, 2003.
- You have a right to request confidential communications of PHI. We will honor all reasonable requests to keep communications confidential. A reasonable request is one that specifies an alternative address, gives other means of contact, and provides detailed information on how payment will be handled.
- You have a right to request restrictions on the use and disclosure of PHI, however we are not required to agree to your request. Your request must state specific restrictions requested and to whom the restrictions would apply.
- You have a right to receive a hard copy of this notice. This notice can also be accessed on our website www.orthopaedicsplus.com.

How will Orthopaedics Plus Use and Disclose PHI under HIPAA?

HIPAA allows us to use and disclose your PHI for the purposes of treatment, payment, and healthcare operations without authorization. We will specifically use and disclose your PHI to communicate with your physician and to, upon request, assist your insurance company with the processing of your claims. Additionally, we will use your basic demographic information to notify you of new services or facilities. Listed are other instances in which use and disclosure of your PHI is allowed without your authorization.

- Disclosure to those involved in the individual's care when necessary - we will make a professional decision to disclose PHI to family members, close friends, or other persons involved in and assisting in your care when you approve or when are not able or present to approve.
- Uses and Disclosures Required by Law - As required by law we are required to use and disclose PHI for the following reasons:
- Use and Disclose PHI for Public Health Activities - Examples include: communicable diseases, sexually transmitted diseases, lead poisoning, Reyes Syndrome, etc., to public health officials.
- Disclose PHI about Victims of Abuse, Neglect, or Domestic Violence - Examples include: child abuse and neglect, an abused or neglected nursing home resident, and a patient over 60 years old involved in elder abuse.
- Uses and Disclosure of Health Oversight Activities - We may use and release PHI to be used for audits, investigations, and licensure issues, etc.
- Disclosure for Judicial and Administrative Proceedings - We may disclose limited PHI to the appropriate authorities as a result of a court order subpoena, discovery request, etc.
- Disclosure for Law Enforcement Purposes - We may disclose reasonably necessary PHI to law enforcement officials to identify or locate a suspect, fugitive, material witness or missing person.
- Uses and Disclosures Related to Decedents - We may use and disclose PHI to a coroner or medical examiner and funeral directors as required by law.
- Uses and Disclosures Related to Cadaveric Organ, Eye, or Tissue Donations - We may use and release PHI in order to facilitate organ, eye, or tissue donations.
- Uses and Disclosures to Avert a Serious Threat to Health or Safety - We may use and release PHI to public health and other authorities required by law in order to prevent a serious threat to your health or safety.
- Uses and Disclosures for Specialized Government Functions - We may use and release PHI for military or veterans activities and national security/intelligence activities.
- Use and Disclosure of PHI in Emergency Situations - In the event of an eminent threat to the safety of a patient, we may disclose PHI to prevent or lessen the threat.
- Uses and Disclosures requiring the Patients Authorization - We must obtain your written authorization if we are interested in using and or disclosing your PHI for reasons other than treatment, payment and health care operations, or situations listed above. You may revoke your authorization at any time.

Where can I file a privacy complaint?

If you feel your privacy rights have been violated, you may file a complaint in writing with Orthopaedics Plus's Compliance and Privacy Officer, Linda Schnare, at the Burlington office, 101 Cambridge St Suite 230, Burlington, MA 01803. You may also file a complaint with the Secretary of the US Department of Health and Human Services in Washington D.C. in writing within 180 days of a violation of your rights. There will be no retaliation for filing a complaint.