

## NOTICE OF PRIVACY PRACTICES FOR GRAND COUNTY EMERGENCY MEDICAL SERVICES (“GCEMS”)

### IMPORTANT: 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 health information is personal, and we are committed to protecting it. Your health information is also very important to our ability to provide you with quality care, and to comply with certain laws. This Notice applies to all records about your care that occurs at our facility, whether the records are made by Covered Entity personnel or by your physician. (Your physician may have different policies and a different notice regarding your health information that is created in the physician’s office.)

**I. We are legally required to safeguard your protected health information.**  
We are required by law to maintain the privacy of your health information, also known as “protected health information” or “PHI.” To provide you with this notice, and comply with this notice

**II. Future changes to our practices and this notice:**

We reserve the right to change our privacy practices and to make any such change applicable to the PHI we obtained about you before the change. If a change in our practices is material, we will revise this Notice to reflect the change. You may obtain a copy of any revised Notice by contacting the Supervisor or Director at the applicable department.

**III. How we may use and disclose your protected health information:**

The law requires us to have your written authorization to some uses and disclosures. In other circumstances, the law allows us to use or disclose PHI without your written authorization. This section III gives examples of these circumstances.

**A. Uses and disclosures for treatment, payment, and health care operations:**

We may use or disclose your PHI to provide treatment to you. For example, we may disclose your PHI to physicians, nurses, and other health care personnel who are involved in your care. We may also use and disclose your PHI to contact you as a reminder that you have an appointment for treatment at our facility, to tell you about or recommend possible treatment options or alternatives, or about health-related benefits or services that may interest you.

We may also use or disclose your PHI to your insurance carrier in order to get paid for treatment provided to you. For example, we may use your PHI to create the bills that we submit to the insurance company, or we may disclose certain portions of your PHI to our business associates who perform billing and claims processing services to us.

We may also use or disclose your PHI in order to operate the facility. For example, we may use your PHI to evaluate the quality of care you received from us, or to evaluate the performance of those involved with your care. We may also provide your PHI to our attorneys, accountants, and other consultants to make sure we are complying with the laws that affect us. We may also provide your contact information (such as name, address and phone number) and the dates you received services from us, to a foundation that helps us with our fundraising efforts. See section III.D for exceptions and your rights to opt out.

**B. Uses and disclosures that require us to give you the opportunity to object:**

Unless you object, we may provide relevant portions of your PHI to a family member, friend or other person you indicate is involved in your health care or in helping you get payment for your health care. In an emergency or when you are not capable of agreeing or objecting to these disclosures, we will disclose PHI as we determine is in your best interest, but will tell you about it later, after the emergency, and give you an opportunity to object to future disclosures to family and friends. Unless you object, we may also disclose your PHI to persons performing disaster relief notification activities.

(1) Most uses and disclosures of psychotherapy notes require the patient’s authorization, likewise, patient authorization is required for marketing, which includes treatment communication where the provider is being paid or subsidized by a third party for the communication.

**C. Certain uses and disclosures do not require your written authorization other than treatment, payment, and health care operations. The law allows us to disclose PHI without your written authorization in the following circumstances:**

- (1) When required by law we disclose PHI when we are required to do so by federal, state or local laws.
- (2) For public health activities we disclose PHI when we report suspected child abuse, the occurrence of certain diseases, or adverse reactions to a drug or medical device.
- (3) For reports about victims of abuse, neglect or domestic violence. We will disclose your PHI in these reports only if we are required or authorized by law to do so, or if you otherwise agree.
- (4) To health oversight agencies we will provide PHI as requested to government agencies that have authority to audit or investigate our operations.
- (5) For lawsuits and disputes we may disclose your PHI in response to a subpoena or other lawful request, but only if efforts have been made to tell you about the request or to obtain a court order that will protect the PHI requested.
- (6) For law enforcement we may release PHI if asked to do so by a law enforcement official, in the following circumstances: (a) in response to a court order, subpoena, warrant, summons or similar process; (b) to identify or locate a suspect, fugitive, material witness or missing person; (c) about the victim of a crime if, under certain limited circumstances, we are unable to obtain the person’s agreement; (d) about a death we believe may be due to criminal conduct at our facility; and (f) in emergency circumstances, to report a crime, its location or victims, or the identity, description or location of the person who committed the crime.
- (7) To coroners, medical examiners and funeral directors we may disclose PHI to facilitate the duties of these individuals.
- (8) To organ procurement organizations we may disclose PHI to facilitate organ donation and transplantation
- (9) For medical research we may disclose your PHI without your written authorization to medical researchers who request it for approved medical research projects; however, with very limited exceptions such disclosures must be cleared through a special approval process before any PHI is disclosed to the researchers, who will be required to safeguard the PHI they receive.
- (10) To avert a serious threat to health or safety we may disclose your PHI to someone who can help prevent a serious threat to your health and safety or the health and safety of another person or the public.
- (11) For specialized government functions we may disclose your PHI to authorized federal officials for intelligence and national security activities that are authorized by law, or so that they may provide protective services to the President or foreign heads of state or conduct special investigations authorized by law.
- (12) To worker’s compensation or similar programs we may provide your PHI to these programs in order for you to obtain benefits for work-related injury or illness.

For some types of PHI there may be stricter restrictions on our use or disclosure of PHI. For example, drug and alcohol abuse patient treatment information, HIV test results, mental health information, and genetic testing results may be subject to greater protection of your privacy. In general, we may disclose a minor patient’s PHI to a parent or guardian, but we may deny the parent’s access to the minor patient’s PHI in some situations.

**D. Uses and Disclosures for Fundraising:**

(a) PHI may be used for fundraising under certain circumstances as stated above in III. Disclosures for fundraising are permitted only if a statement of intent to use PHI for fundraising is included in the health care components’ Notice of Privacy Practices. Health care components may use or disclose demographic information and dates of

health care provided to an individual to a business associate or institutionally related foundation for the purpose of fundraising for the benefit of the health care component. (b) Disclosures for fundraising that meet the above conditions may be made without written authorization. Use or disclosure of PHI for any other fundraising activity requires written authorization by the individual. (c) All fundraising materials must include conspicuous information about how the recipient of the information may opt out of future fundraising communications. If the individual opts out, that election must be treated as a revocation of authorization under section 164.508 of title 45 Code of Federal Regulations and steps must be taken to ensure that the individual is not sent further fundraising communications.

**IV. Other uses and disclosures of your protected health information that are not covered by this notice or the laws that apply to us will be made only with your written authorization.** If you give us written authorization for a use or disclosure of your PHI, you may revoke that authorization, in writing, at any time. If you revoke your authorization we will no longer use or disclose your PHI for the purposes specified in the written authorization, except that we are unable to take back any disclosures we have already made with your permission, are required to retain certain records of the uses and disclosures made when the authorization was in effect.

**V. Your rights related to your protected health information include:**

**A. The right to request limits on uses and disclosures of your PHI**

You have the right to ask us to limit how we use and disclose your PHI, as long as you are not asking us to limit uses and disclosures that we are required or authorized to make to the secretary of the federal department of health services, related to our facilities patient directory, or any of the disclosures described in section III, above. Any such request must be submitted in writing to our privacy office. We are not required to agree to your request. If we do agree, we will put it in writing and will abide by the agreement except when you require emergency treatment.

**B. The right to choose how we communicate with you**

You may have the right to ask that we send information to you at a specific address (for example, at work rather than at home) or in a specific manner (for example, by e-mail rather than regular mail, or never by telephone). We must agree to your request as long as it would not be disruptive to our operations to do so. You must make any such request in writing, addressed to our Privacy Officer.

**C. The right to see and copy your PHI**

Except for limited circumstances, you may look at and copy your PHI if you ask in writing to do so. Any such request must be addressed to our Medical Records Department, which will respond to your request within 30 days (or 60 days if the extra time is needed). In certain situations we may deny your request, but if we do, we will tell you in writing of the reasons for denial and explain your right to have the denial reviewed. If you ask us to copy your PHI, we will charge you the average copy rate for each page. Alternatively, we may provide you with a summary or explanation of your PHI, as long as you agree to that and to the cost, in advance.

**D. The right to correct or update your PHI**

If you believe that the PHI we have about you is incomplete or incorrect, you may ask us to amend it. Any such request must be made in writing and must be addressed to our Medical Records Department, and must tell us why you think the amendment is appropriate. We will not process your request if it is not in writing or does not tell us why you think the amendment is appropriate. We will act on your request within 60 days (or 90 days if the extra time is needed), and will inform you in writing as to whether the amendment will be made or denied. If we agree to make the amendment, we will ask you who else you would like us to notify of the amendment.

We may deny your request if you ask us to amend information that:

- (1) was not created by us, unless the person who created the information is no longer available to make the amendment;
- (2) is not part of the PHI we keep about you;
- (3) is not part of the PHI that you would be allowed to see or copy; or
- (4) is determined by us to be accurate and complete.

If we deny the requested amendment, we will tell you in writing how to submit a statement of disagreement or complaint, or to request inclusion of your original amendment request if your PHI.

**E. The right to get a list of the disclosures we have made** You have the right to get a list of instances in which we have disclosed your PHI. The list will not include disclosures we have made for our treatment, payment and health care operations purposes, those made directly to you or your family or friends or through our facility directory, or for disaster notification purposes. Neither will the list include disclosures we have made within your written authorization, for national security purposes or to law enforcement personnel, disclosure of limited data set, or disclosures made before April 14, 2003.

**F. Your request for a list of disclosures must be made in writing** and be addressed to our Medical Records Department. We will respond to your request within 60 days (or 90 days if extra time is needed). The list we provide will include disclosures made within the last six years unless you specify a shorter period. The first list you request within a 12-month period will be free. You will be charged our costs for providing any additional lists within the 12-month period.

**G. The right to get a paper copy of this copy of this notice** Even if you have agreed to receive the notice by e-mail, you have the right to request a paper copy as well. You may obtain a paper copy of this notice by contacting the supervisor or director at the applicable department.

**H. The right to receive Notification of a security breach** You have the right to receive notification of a security breach without reasonable delay and in no case later than 60 calendar days after discovery of a breach of unsecured PHI. You shall receive a written notification by first class mail with a brief description of what happened, the date and type of information involved, and the steps necessary to protect yourself, what the covered entity is doing to investigate, mitigate and protect against further breach. Unsecured PHI is PHI that is either, not encrypted, or not destroyed. A breach does not include certain limited unintentional, or inadvertent disclosures, or disclosure to a person who would not reasonably be able to retain the disclosed information.

**I. The right to request nondisclosure of PHI** You have the right to request nondisclosure of PHI in the event that you have paid out of pocket in full for any treatment.

**VI. Complaints** If you believe your privacy rights have been violated, you may file a complaint with us or with the secretary of the federal department of Health and Human services. To file a complaint in writing and address it to our Privacy Officer at P O Box 264, Hot Sulphur Springs, CO 80451. We will not retaliate against you for filing a complaint. You may also contact our Privacy Officer if you have questions or comments about our privacy practices.

**VII. CORHIO Medical Record System** Grand County EMS is a participant in the CORHIO Electronic Medical Record System. CORHIO is a secure electronic Health Information Exchange network designated by the State of Colorado. You may choose to opt out of this program by submitting a written request within 10 days of your ambulance service to: Grand County EMS, PO Box 1457, Granby, CO 80446.