

HIPAA PATIENT PRIVACY NOTICE

For

ORTHOPAEDIC & SPORTS SPECIALISTS, P.C.

Effective Date: 03/26/2013 updated 5/12/2014

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.

If you have any questions about this notice, please contact the office manager or the receptionist.

WHO WILL FOLLOW THIS NOTICE:

This notice describes our office's practices and that of:

Any health care professional or entity authorized to enter information into your file or record.

All employees, staff and other personnel.

Private contractors and Business Associates of Covered Entities as listed: Professional Answering Service, Integrated Solutions Group Technology, Medical Office Solutions, MD Logic, Inservio/MedAssist, Account Management Resources, Earl Olgetree, Attorney-At-Law and Associates as legal counsel for PLICO risk management department. All these entities, sites and locations follow the terms of this notice. In addition, these entities, sites and locations may share medical information with each other for treatment, payment or hospital operations purposes described in this notice.

OUR PLEDGE REGARDING MEDICAL INFORMATION:

We understand that medical information about you and your health is personal. We are committed to protecting medical information about you. We create a record of the care and services you receive in our practice. We need this record to provide you with quality care and to comply with certain legal requirements. This notice applies to all of the records of your care.

This notice will tell you about the ways in which we may use and disclose medical information about you. It also describes your rights and certain obligations we have regarding the use and disclosure of medical information.

We are required by law to:

- Make sure that medical information that identifies you is kept private;
- Give you this notice of our legal duties and privacy practices with respect to protected medical information about you; and
- Follow the terms of the notice that is currently in effect.

HOW WE MAY USE AND DISCLOSE YOUR PERMITTED MEDICAL INFORMATION.

As well as the listed entities previously listed above as Business Associates, the following categories describe different ways that we use and disclose protected medical information. For each category of uses or disclosures we will explain what we mean. Not every use or disclosure in a category will be listed. However, all of the ways we are permitted to use and disclose information will fall within one of the categories.

For Treatment: We may use protected medical information about you to provide you with medical treatment or services. We may disclose protected medical information about you to doctors, nurses, technicians, medical students, pharmacists, home health agencies, physical therapists, durable medical goods suppliers, nursing or assisted living facilities, radiological facilities, hospitals, and ambulatory surgical centers as well as their personnel who are involved in giving you medical care

or ordering medical devices, drugs, or supplies for you. Different departments of our practice also may share medical information about you in order to coordinate the different things you need, such as prescriptions, lab work and x-rays. We also may disclose protected medical information about you to people outside the practice who may be involved in your medical care, such as family members or others we use to provide services that are part of your care. We make every attempt to have your permission prior to any of these disclosures, but in an emergency situation we reserve the right to use and disclose pertinent and necessary medical information as required for your benefit.

For Payment: We may use and disclose protected medical information about you so that the treatment and services you receive may be billed to and payment may be collected from you, an insurance company or a third party payor. For example, we may need to give your health plan information about treatment you received so your health plan will pay us or reimburse you. We may also tell your health plan about a treatment you are going to receive to obtain prior approval or to determine whether your plan will cover the treatment. We also may use and disclose your information to obtain payment from third party payers that may be responsible for such costs, such as family members. And we may use your information to bill you directly for services and items.

Appointment Reminders: We may use and disclose protected medical information to contact you as a reminder that you have an appointment for treatment or medical care.

Treatment Alternatives: We may use and disclose protected medical information to tell you about or recommend possible treatment options or alternatives that may be of interest to you.

Health-Related Benefits and Services: We may use and disclose protected medical information to tell you about health-related benefits or services that may be of interest to you.

Individuals Involved in Your Care or Payment for Your Care: We may release protected medical information about you to a friend or family member who is involved in your medical care or release limited medical information to someone who helps pay for your care. We may also tell your family or friends your current medical condition in certain situations as deemed medically necessary. In addition, we may disclose protected medical information about you to an entity assisting in a disaster relief effort so that your family can be notified about your condition, status and location.

Research: Under certain circumstances, we may use and disclose protected medical information about you for research purposes. For example, a research project may involve comparing the health and recovery of all patients who received one medication to those who received another, for the same condition. All research projects, however, are subject to a special approval process. This process evaluates a proposed research project and its use of medical information, trying to balance the research needs with patients' need for privacy of their medical information. Before we use or disclose medical information for research, the project will have been approved through this research approval process, but we may, however, disclose medical information about you to people preparing to conduct a research project, for example, to help them look for patients with specific medical needs. We will almost always ask for your specific permission if the researcher will have access to your name, address or other information that reveals who you are, or will be involved in your care in our practice.

As Required By Law: We may use or disclose your protected medical information about you when required to do so by federal, state or local law and such use disclosure is limited to the relevant requirements of such law.

To Avert a Serious Threat to Health or Safety: We may use and disclose protected medical information about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat.

Healthcare operations: We may use protected health information provided to us by your covered entity to assist your covered entity in serving you better. For example, we may provide conference capabilities for your physician to consult with other medical staff, we may provide customer service on behalf of your insurance carrier to assist you with your insurance benefits, or we may provide recall notifications for a recalled medical device you may use or have used during a surgical procedure.

Honoring patients' request to restrict information:

1. Our office will make a notation in the electronic medical record to ensure that the information doesn't independently get sent to your health insurance or disability plan. See also #7 of this category for further explanation.
2. If a treatment is part of a bundled service, we can counsel you, as the patient or authorized guardian on the ability to unbundle the service and the impact of the payment to the provider of service. If the requested restriction cannot be unbundled you will so be informed and given the option of paying for the entire medical bundled service out of pocket in full.
3. If you do not wish your downstream providers, such as pharmacists, other specialists, treatment facilities, etc. to have the same restrictions regarding medical information to be released or not to be released you are encouraged to alert these downstream providers and our office is willing to assist you with this process by sending a written form instructing them of your wishes to restrict information.
4. If you are an HMO patient and cannot pay out-of-pocket for items, other than cost sharing, you will be advised that you will be using an out of network provider.
5. If you as the patient request to pay directly to avoid an insurance claim, we have the right to make a reasonable effort to get the payment from you prior to billing the insurance plan.
6. If you receive subsequent related treatment and do not request a subsequent restriction, our office can include the previously restriction information in accordance with the minimum necessary rules of the plan and our office will make an attempt to advise you before doing so.
7. You may request a restriction of your protected health information or disclosure about you for payment or health care operations. You also have the right to request limiting disclosures of your protected health information to family members or friends who are involved in your care or payment of your care, The insurance healthcare plan you are enrolled in does not always agree to such restrictions that you have requested we honor as it is a personal policy between you as the insured and the insurance company.

SPECIAL SITUATIONS

Organ and Tissue Donation: If you are an organ donor, we may release protected medical information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation.

Military and Veterans: If you are a member of the armed forces or a veteran of the armed forces, we may release protected medical information about you as required by military command authorities. We may also release protected medical information to a foreign military authority, if you are in their service.

Workers' Compensation: We may release protected medical information about you for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness. Release of such information is controlled by state and/or federal law.

Public Health Risks: We may disclose protected medical information about you, when required or permitted by law, to disclose your protected health information to public or legal authorities responsible for preventing or controlling disease, injury, or disability or performing other public health functions. These activities or disclosures generally include the following:

- To prevent or control disease, injury or disability;
- To report births and deaths;
- To report a known or suspected crime,
- To report child abuse or neglect;
- To report vulnerable adult abuse;
- To report reactions to medications or problems with products;
- To notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition;
- To notify the appropriate government authority if we believe a patient has been the victim of domestic violence. We will only make this disclosure if you agree or when required or authorized by law.

Health Oversight Activities: We may disclose protected medical information to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.

Lawsuits and Disputes: If you are involved in a lawsuit or a dispute, we may disclose protected medical information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.

Law Enforcement: We may release protected medical information if asked to do so by a law enforcement official:

- In response to a court order, subpoena, warrant, summons or similar process;
- To identify or locate a suspect, fugitive, material witness, or missing person;
- About the victim of a crime if, under certain limited circumstances, we are unable to obtain the person's agreement;
- About a death we believe may be the result of criminal conduct;
- About criminal conduct involving our practice; and
- In emergency circumstances to report a crime; the location of the crime or victims; or the identity, description or location of the person who committed the crime.

Medical Examiners and Funeral Directors: We may release protected medical information to a medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. We may also release protected medical information about patients to funeral directors as necessary to carry out their duties.

National Security and Intelligence Activities: We may release protected medical information about you to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.

Protective Services for the President and Others: We may disclose protected information about you to authorized federal officials so they may provide protection to the President, other authorized persons or foreign heads of state or conduct special investigations.

Inmates: If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may release protected medical information about you to the correctional institution or law enforcement official. This release would be necessary (1) for this practice to provide you with health care; (2) to protect your health and safety or the health and safety of others; or (3) for the safety and security of the correctional institution.

Judicial and Administrative Proceedings: We may disclose your protected health information for judicial or administrative proceedings as required or permitted by law or in response to a valid subpoena, court order, or other binding authority.

Food and Drug Administration (FDA): We may disclose to the FDA, or entity subject to FDA jurisdiction, your protected health information for public health purposes related to the quality, safety or effectiveness of an FDA related product or activity for which that person has responsibility. For example, your information may be disclosed in connection with the reporting of an adverse event, product defect, product tracking, or to provide post marketing surveillance information as so required.

Secretary of the U.S. Department of Health and Human Services: We may disclose as they require us by law, to release your protected health information to this federal agency directly or to the Office of Civil Rights. Note that under federal law, you may not inspect or copy the following records: psychotherapy notes, information compiled in reasonable anticipation of, or use in, a civil, criminal, or administrative action or proceeding; and protected health information that is subject to law that prohibits access to protected health information. Depending on the circumstances, a decision to deny access may be reviewable. In some, but not all circumstances, you may have a right to have this decision reviewed.

YOUR RIGHTS REGARDING MEDICAL INFORMATION ABOUT YOU.

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

Right to understand how your health information may be used and disclosed: You have the right to ask questions about the health privacy issue(s) and have those questions clearly and promptly answered,

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. This includes medical and billing records, but does not necessarily include psychotherapy notes. Your request must be in writing and disclosed on a form supplied from our company, Orthopaedic and Sports Specialists, P.C. which specifically states what information and to whom you are wanting the information released to.

To inspect and/or copy your medical information you must submit your request to the medical records clerk in our office. If you request a copy of the information, we may charge a fee for the costs of copying, mailing or other supplies associated with your request. (By statute in Oklahoma we may charge you \$0.25 per page for copies, plus our postage costs. If your record contains any item that requires a photographic process to copy, such as an x-ray or photograph, we may charge you up to \$5.00 per image.)

Right to Amend: If you feel that medical information we have about you is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by our practice.

To request an amendment, your request must be made in writing and submitted to the medical records clerk. In addition, you must provide a reason that supports your amendment request.

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 our practice;
- Is not part of the information which you would be permitted to inspect and copy; or
- In our judgment is accurate and complete as it appears or as it was at the time it was originally captured and recorded.

Right to an Accounting of Disclosures: You have the right to request an "accounting of disclosures." This is a list of the disclosures we have made of your medical information.

To request this list or accounting of disclosures, you must submit your request in writing to the medical records clerk in our office. Your request must state a time period which may not be longer than six years and may not include dates before April 14, 2003. Your request should indicate in what form you want the list (for example, on paper or electronically sent if electronic submission is available from our office). The first list you request within each 12 month period will be free. For additional lists, we may charge you for the costs of providing the list at a reasonable rate. 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.

Right to Request Restrictions: You have the right to request a restriction or limitation on the protected medical information we use or disclose about you for treatment, payment or health care operations. However, we must receive your restrictions in writing before we have made such disclosures. Also, if you restrict our right to use your protected medical information for treatment, payment or health operations, we reserve the right to immediately withdraw our services from you and terminate the physician-patient relationship.

You also have the right to request a limit on the protected medical information we disclose about you to someone who is involved in your care or the payment for your care, such as a family member or friend. For example, you could ask that we not use or disclose information about a surgery to your family.

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 restrictions, you must make your request in writing to the medical records clerk in our office. In your request restrictions, you must tell us (1) what information you want to limit; (2) whether you want to limit our use, disclosure or both; and (3) to whom you want the limits to apply, for example, disclosures to your spouse.

Right to Request Confidential Communications: You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. For example, you can ask that we only contact you at work, or at home, or by mail, or by phone, or by E-mail.

To request confidential communications, you must make your request in writing to the medical records clerk in our office. We will not ask you the reason for your request. We will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

Right to a Copy of This Notice: You have the right to a copy of this notice. You may ask us to give you a copy of this notice at any time.

CHANGES TO THIS NOTICE

We reserve the right to change this notice. We reserve the right to make the revised or changed notice effective for protected 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 our office. The notice will contain on the first page, the effective date. In addition, each time you are in our office for treatment or health care services, we will offer you a copy of the current notice in effect.

COMPLAINTS

If you believe your privacy rights have been violated, you may file a complaint with our office or with the Secretary of the Department of Health and Human Services. To file a complaint with our office, contact the office manager or the HIPPA Privacy Officer for Orthopaedic & Sports Specialists, P.C. All complaints must be submitted in writing.

You will not be penalized for filing a complaint.

OTHER USES OF MEDICAL INFORMATION.

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

- end -

ORTHOPAEDIC AND SPORTS SPECIALISTS, P.C.

4140 W. MEMORIAL SUITE 308
OKLAHOMA CITY, OKLAHOMA 73120
TELEPHONE (405)749-7031 FAX (405)749-7036

Original HIPAA Patient Privacy Notice dated 04/04/2003, updated 05/12/2014

ACKNOWLEDGEMENT OF RECEIPT OF NOTICE OF PRIVACY PRACTICES

We are required to provide you with a copy of HIPAA Privacy Notice and Practices, which states how we may use and or disclose your health information. Please sign this form to acknowledge receipt of this notice.

I ACKNOWLEDGE THAT I HAVE RECEIVED A COPY OF ORTHOPAEDIC AND SPORTS SPECIALISTS, P.C. HIPAA PRIVACY NOTICE AND PRACTICES.

Print your name as patient or patient's guardian Date

Signature

EMPLOYEE SECTION ONLY:

We have made every effort to obtain written acknowledgment of receipt of our notice of privacy notice and practices from this patient but it could not be obtained because:

- The patient refused to sign
- We were unable to communicate with the patient
- Due to an emergency situation it was not possible to obtain an acknowledgement.
- Other _____

Employee Signature and Date: