

NOTICE OF PRIVACY PRACTICES

Dr's Driver & Clark, Optometrist, P.A.

SALINA OFFICE / MINNEAPOLIS OFFICE

1100 W. South St, Salina, KS 67401 (785-825-4679) / 311 N. Mill Minneapolis, KS 67467 (785) 392-2126

(Contact Person: Dr. Kenton Driver)

THIS NOTICE DESCRIBES HOW YOUR INFORMATION MAY BE USED AND DISCLOSED WHAT RIGHTS YOU HAVE REGARDING IT. We respect our legal obligation to keep health information that identifies our patient's private and we have always protected the privacy of our patients. As of April 14, 2003 the new HIPPA regulations (Health Insurance Portability and Accountability act of 1996) went into effect and it requires us, by law to give our patients this written notice of our *Notice of Privacy Practices*. We will note in each patients chart and ask that each patient initial the fact that they have received a copy of our "Notice of Privacy Practices".

MOST COMMONLY USED REASONS FOR DISCLOSURE OF INFORMATION IS FOR: TREATMENT, PAYMENT, AND FOR OUR HEALTH CARE BUSINESS OPERATIONS: We may disclose any information we believe is necessary for the conduct of our business without your written permission, or where disclosure is required by Kansas law. However, when applicable we will ask for written permission as required by Kansas law. The most common reason why we use or disclose Information is for treatment, payment or health care business operations. Examples of how we use or disclose information for "treatment purposes" are: setting up an appointment for you; testing or examining your eyes; prescribing of glasses, contact lenses, vision therapy or medications; faxing or phoning prescriptions to be filled; referring you to another doctor or clinic for eye care services; or getting copies of your health information from another professional that you may have seen before us. Examples of how we use or disclose information for "payment purposes" are: asking you about your health or vision care plans, or other sources of payment; preparing and sending bills or claims; and collecting unpaid amounts (either ourselves or through a collection agency or attorney). "Health care business operations" mean those administrative and managerial functions that we have to do in order to run our office. Examples are: appointment reminders*, financial or billing audits; internal quality assurance; personnel decisions; participation in managed care plans; defense of legal matters; business planning; and outside storage of our records, and other such acts.

* **APPOINTMENT REMINDERS:** We may call or write to remind you of scheduled appointments, or that it is time to make a routine appointment. We may also call or write to notify you of materials that are ready for you pick up or of other treatments or services available at our office that might help you. Unless you tell us otherwise, we will mail you an appointment reminder on a post card, and/or leave you a reminder message on your home answering machine or with someone who answers your phone if you are not home.

USES AND DISCLOSURES FOR OTHER REASONS AS REQUIRED BY LAW

In some limited situations, the law allows or requires us to use or disclose your health information without your permission. Not all of these situations will apply to us; some may never come up at our office at all. Such uses or disclosures are:

- when a state or federal law mandates that certain health information be reported for a specific purpose;
- for public health purposes, such as contagious disease reporting, investigation or surveillance; and notices to and from the federal Food and Drug Administration regarding drugs or medical devices;
- disclosures to governmental authorities about victims of suspected abuse, neglect or domestic violence;
- uses and disclosures for health oversight activities, such as for the licensing of doctors; for audits by Medicare or Medicaid; or for investigation of possible violations of health care laws;
- disclosures for judicial and administrative proceedings, such as in response to subpoenas or orders of courts or administrative agencies;
- disclosures for law enforcement purposes, such as to provide information about someone who is or is suspected to be a victim of a crime; to provide information about a crime at our office; or to report a crime that happened somewhere else;
- disclosure to a medical examiner to identify a dead person or to determine the cause of death; or to funeral directors to aid in burial; or to organizations that handle organ or tissue donations;
- uses or disclosures for health related research;
- uses and disclosures to prevent a serious threat to health or safety;
- uses or disclosures for specialized government functions, such as for the protection of the president or high ranking government officials; for lawful national intelligence activities; for military purposes; or for the evaluation and health of members of the foreign service;
- disclosures of de-identified information;

- disclosures relating to worker's compensation programs;
- disclosures of a "limited data set" for research, public health, or health care operations;
- incidental disclosures that are an unavoidable by-product of permitted uses or disclosures;
- disclosures to "business associates" who perform health care operations for us and who commit to respect the privacy of your health information;

OTHER USES AND DISCLOSURES REQUIRES AN "AUTHORIZATION FORM"

We will not make any other uses or disclosures of your health information unless you sign a written "authorization form." The content of an "authorization form" is determined by federal law. Sometimes, we may initiate the authorization process if the use or disclosure is our idea. Sometimes, you may initiate the process if it's your idea for us to send your information to someone else. Typically, in this situation you will give us a properly completed authorization form, or you can use one of ours. If we initiate the process and ask you to sign an authorization form, you do not have to sign it. If you do not sign the authorization, we cannot make the use or disclosure. If you do sign one, you may revoke it at any time unless we have already acted in reliance upon it. Revocations must be in writing. Send them to the office contact person named at the beginning of this notice.

YOUR RIGHTS REGARDING YOUR HEALTH INFORMATION

The law gives you many rights regarding your health information. You can:

- ask us to communicate with you in a confidential way, such as by phoning you at work rather than at home by mailing health information to a different address. We will accommodate these requests if they are reasonable, and if you pay us for any extra cost. If you want to ask for confidential communications, send a written request to the office contact person at the address shown at the beginning of this Notice.
- ask to see or to get photocopies of your health information. By law, there are a few limited situations in which we can refuse to permit access or copying. For the most part, however, you will be able to review or have a copy of your health information within 30 days of asking us (or sixty days if the information is stored off-site). You may have to pay for photocopies in advance. If we deny your request, we will send you a written explanation. If you want to review or get photocopies of your health information, send a written request to the office contact person at the address shown at the beginning of this Notice.
- ask us to amend your health information if you think that it is incorrect or incomplete. If we agree, we will amend the information within 60 days from when you ask us. We will send the corrected information to persons who we know got the wrong information, and others that you specify. If we do not agree, you can write a statement of your position, and we will include it with your health information along with any rebuttal statement that we may write. Once your statement of position and/or our rebuttal is included in your health information, we will send it along whenever we make a permitted disclosure of your health information. By law, we can have one 30 day extension of time to consider a request for amendment if we notify you in writing of the extension. If you want to ask us to amend your health information, send a written request, including your reasons for the amendment, to the office contact person at the address shown at the beginning of this Notice.
- get a list of the disclosures that we have made of your health information within the past six years (or a shorter period if you want). You are entitled to one such list per year without charge. If you want more frequent lists, you will have to pay for them in advance. We will usually respond to your request within 60 days of receiving it. If you want a list, send a written request to the office contact person at the address shown at the beginning of this Notice.
- get additional paper copies of this Notice of Privacy Practices upon request. It does not matter whether you got one electronically or in paper form already. If you want additional paper copies, send a written request to the office contact person at the address shown at the beginning of this Notice.

OUR NOTICE OF PRIVACY PRACTICES

By law, we must abide by the terms of this Notice of Privacy Practices until we choose to change it. We reserve the right to change this notice at any time as allowed by law. If we change this Notice, the new privacy practices will apply to your health information that we already have as well as to such information that we may generate in the future. If we change our Notice of Privacy Practices, we will post the new notice in our office & have copies available in our office.

COMPLAINTS

If you think that we have not properly respected the privacy of your health information, you are free to complain to us or the U.S. Department of Health and Human Services, Office for Civil Rights. We will not retaliate against you if you make a complaint. If you want to complain to us, send a written complaint to the office contact person at the address shown at the beginning of this Notice. If you prefer, you can discuss your complaint in person or by phone.