

COUNTY OF CHEMUNG
NOTICE OF HEALTH INFORMATION PRACTICES

THIS NOTICE DESCRIBES HOW HEALTH-RELATED INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY. This is your copy; keep it with your health-related records for future reference.

Examples of Disclosures for Treatment, Payment and Health Operations

The County is, in some instances, a health care provider. The County may transmit your health-related information in electronic form in connection with treatment, payment and operations activities, and thus the County is a covered entity for purposes of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The County is required to furnish this notice to you, and to furnish you with an adequate description of the uses of your health-related information that are permitted under HIPAA and other laws.

The County will use your health-related information for your treatment

For example: Information obtained by a nurse, physician, or other member of the County's healthcare staff will be recorded in your medical record and will be used to determine the course of treatment and the scope of services that should work best for you. The County will also provide a subsequent healthcare provider with copies of various reports that should assist him or her in treating you.

The County will use your health-related information for payment

For example: A bill for services provided to you by the County may be sent to you or to a third-party payer. The information on or accompanying the bill may include information that identifies you, as well as your diagnosis, procedures and supplies used.

The County will use your health-related information for its day-to-day operations

For example: Members of the County's healthcare staff may use information in your medical record to assess the care and outcomes in your case and others like it. This information will then be used in an effort to continually improve the quality and effectiveness of the healthcare services that the County provides.

Other examples of how the County may use your health-related information

Business associates: There are some services provided by the County through contacts with other entities. Examples include legal services, accounting services, third party insurance

administrators, medical product suppliers, and consultants. When these services are contracted, the County may disclose your health-related information to other entities so that they can perform the job we have contracted with them to do. To protect your health-related information, however, the County requires such entities to appropriately safeguard your health-related information.

Notification: The County may use or disclose health-related information to notify or assist in notifying a family member, personal representative or another person responsible for your care of your location and general condition.

Communication with family: Health professionals, using their best judgment, may disclose health-related information to a family member, other relative, close personal friend or any other person you identify which is relevant to your care or payment for such care.

Funeral directors, coroners and medical examiners: The County may disclose health-related information to funeral directors, coroners and medical examiners consistent with applicable law to carry out their duties.

Organ procurement organizations: Consistent with applicable law, the County may disclose health-related information to organ procurement organizations or other related entities engaged for the purpose of tissue donation and transplant.

Marketing: The County may contact you to provide appointment reminders or information about treatment alternatives or other health-related benefits and services that may be of interest to you.

Public health: As required by law, the County may disclose your health-related information to public health or legal authorities charged with preventing or controlling disease, injury, or disability. For example, the County will disclose health-related information concerning certain communicable diseases, as required by law, to the New York State Department of Health.

Law enforcement: As required by law, the County will disclose health-related information for law enforcement purposes or in response to a valid court order or subpoena. This includes mandatory reporting of child abuse or neglect, or suspected child abuse or neglect, to the Child Protective Service of the New York State Department of Social Services.

Facility directories: The County may use and or disclose your name in a facility directory including the location at which you are receiving care, your condition described in general terms that do not communicate specific medical information about you and your religious affiliation. The information about you will be disclosed to members of the clergy and/or, except for religious affiliation, to people who ask for you by name.

Emergencies: The County may use and or disclose your health-related information in an

emergency treatment situation. If there is such an emergency situation and your opportunity to agree or object cannot be practically provided, the County may use or disclose some or all of your health-related information if such disclosure is consistent with your prior expressed preference and it is in your best interests as determined in the exercise of professional judgment. Once it is practicable after the emergency treatment situation, you will be provided with the opportunity to agree or object to such uses or disclosures.

Military: The County may release your health-related information if you are a member of the U.S. or a foreign military and if required by appropriate authorities.

National security: The County may release your health-related information to Federal officials for intelligence and national security activities, as authorized by law. The County may also release your health-related information to Federal officials in order to protect the President, other officials and foreign heads of state, or to carry out investigations.

Inmates: The County may release your health-related information to correctional institutions or to law enforcement officials as permitted under HIPAA.

Research: The County may use or disclose your health-related information for proposes relating to research with which you are involved. No public release of your name will be made without your consent.

County sponsored plans. The County may use or disclose your health-related information, in summary form, for purposes of County sponsored health plans. Summary information does not include your name or other distinguishing characteristics. The County may also disclose the fact that you are enrolled in, or disenrolled in, a County sponsored health plan. The County may disclose your health-related information to perform customer service and administrative service functions on your behalf.

Other. The County may use or disclose your health-related information as otherwise required by law.

Your Health-Related Information Rights

Although your medical record is the physical property of the County, the health-related information in it belongs to you, and you enjoy numerous rights with respect to your health-related information.

You have the right:

- to ask the County to restrict certain uses and disclosures of your health-related information,

- however, the County is not required to agree to any such restrictions;
- to receive confidential communications concerning your health-related information;
 - to inspect and obtain a copy of your medical record;
 - to amend your medical record;
 - to obtain an accounting of the disclosures made by the County of your health-related information;
 - to request a paper copy of this notice if it was furnished to you by electronic or other alternative means; and
 - to access your health-related information within a certain prescribed period of time, subject to certain limitations, and to request an appeal of a denial of access to your health-related information.

There may be other Federal and New York laws that furnish you with additional rights. Simply because the County may disclose your health-related information under HIPAA does not mean that the County can necessarily disclose all of your health-related information without additional permission to do so.

Instances When New York Law Applies to Your Health-Related Information

In certain instances, New York law will supercede HIPAA. In such instances, the County will adhere to applicable New York law as it relates to your health-related information. Examples include:

Access to health-related information: You have the right to request access to your medical records, or the records of your child, and to receive such medical records within 10 days unless psychotherapy notes are involved or unless the County determines that release of the medical records could reasonably be expected to cause substantial harm to you, your child or to others. The County may impose its cost for making copies of your medical records, not to exceed \$0.75 per page, but you cannot be denied access due to your inability to pay. In the event that the County denies access to the health-related information you requested, you are entitled to judicial review of the County's determination.

HIV information: The County will not disclose or cause to be disclosed any information relating to HIV except as authorized by the patient or as authorized by a qualified representative.

Mental health information: The County will recognize the guardian of a patient appointed by the Surrogate's Court to constitute a qualified person entitled to request mental health information. Any mental health information released by the County to a qualified person will be limited to that information which is relevant in light of the reason for the inspection. In the event the County denies access to the health-related information you requested, you are entitled to review by a medical records access review committee.

Workers Compensation: The County may disclose your health-related information as authorized by, and to the extent necessary, to comply with the New York Worker's Compensation Law for purposes of reimbursement from your employer, an insurance carrier or a special fund.

Victims of abuse, neglect or domestic violence: Health-related information may be used and or disclosed about an individual who is reasonably believed to be a victim of abuse, neglect or domestic violence to a government authority.

Law enforcement purposes: Health-related information may be used and/or disclosed in the course of any judicial or administrative proceeding or in response to an order of a court or an administrative tribunal.

Specialized government functions: Health-related information may be used and or disclosed for certain other specialized government functions.

Between departments of Chemung County: Health-related information may be used and or disclosed between the departments of the County as permitted under HIPAA.

The County's Responsibilities

The County is required to:

- maintain the privacy of your health-related information;
- provide you with this notice as to the County's legal duties and the County's privacy practices with respect to health-related information that the County collects and maintains about you;
- abide by the terms of this notice;
- notify you if the County is unable to agree to your requested restriction of health-related information;
- accommodate reasonable requests you may have to communicate health-related information by alternative means or at alternative locations; and
- disclose health-related information to the Secretary of the Department of Health and Human Services, when requested to do so by the Department of Health and Human Services, for purposes of determining the County's compliance with HIPAA.

The County reserves the right to change its practices, this notice and to make the new provisions applicable to your health-related information that the County maintains. Should the County's practices change, the County will mail a revised copy of this notice to your last known address, and the County will post the revised notice on its website, if such a website exists. In addition, the County will not use or disclose your health-related information without your authorization, except as described in this notice, or otherwise required by law. Any authorization you provide to the County may be revoked by you at any time, to the extent that the County has not

already relied on your earlier authorization.

For More Information or to Report a Problem

If you have questions and would like additional information, you may contact the County's Privacy Officer at (607) 737-2918. If you believe your privacy rights have been violated, you can file a complaint with the County's Privacy Officer, the Secretary of United States Department of Health and Human Services (212-264-3885) (www.hhs.org), the United States Attorney for the Western District of New York (716-843-5700 or 585-263-6760)(www.usdoj.gov/usao/nyw/) or the New York State Department of Health (1-888-663-6114) (www.health.state.ny.us). There will be no retaliation by the County for filing a complaint.

Effective Date: November 3, 2003

COUNTY OF CHEMUNG
NOTICE OF HEALTH INFORMATION PRACTICES
ACKNOWLEDGMENT

I, _____, a recipient of services from the County of Chemung, have been furnished with a copy of the County's Notice of Health Information Practices effective November 3, 2003.

Signature of Patient/Subscriber
(or parent or guardian, if applicable)

Date