

Title: Right to Privacy

Policy: It is the policy of Nurture Health to comply with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 (HIPAA); the Health Information Technology for Economic and Clinical Health Act, Public Law 111-005 (HITECH Act); regulations promulgated there under by the U.S. Department of Health and Human Services (HIPAA Regulations); and other applicable laws. This policy describes procedures implemented by Nurture Health to ensure the privacy of patients' protected health information (PHI). Nurture Health obtains acknowledgment of receipt of such notice from all patients.

Procedure

1. Electronic, physical, and logistical safeguards are implemented to secure the confidentiality of all patients' PHI.
2. The Chief Compliance Officer oversees the policies and procedures to ensure that patients' rights to privacy are fulfilled.
3. All patients receive a Notice of Patients' Privacy Rights and the Receipt of Notice of Privacy Practices Form on their first visit and annually. All patients are asked to sign the acknowledgment of receipt form, which is then placed in the patient's electronic medical record (EMR).
4. Nurture Health's website contains the privacy notice, privacy practices, and copy of the acknowledgment response form.
5. Nurture Health obtains written consent to treat from the patient or legal guardian prior to engaging in treatment.
6. An individual has a right to receive an accounting of disclosures of Protected Health Information (PHI) in the three years prior to the date on which the accounting is requested, except for disclosures defined in HIPAA (***Request for an Account of Certain Disclosures of PHI***).
7. Nurture Health obtains written authorization for use or disclosure of PHI in connection with research or marketing.
8. Nurture Health discloses only the minimum PHI to requesting entities to accomplish the intended purpose.
9. As a covered entity, Nurture Health fully complies with the HIPAA Privacy Rule, effective April 14, 2003.
10. Patients are given the opportunity to request a correction or amendment to their PHI by completing the *Correction/Amendment of Medical Record* consent form. No changes are made directly to the existing medical record but rather amended by an addendum to the record. The patient must provide a reason to support the request. The provider can either accept or deny the request and provide a written explanation *Disposition of Medical*

Record Amendment Request (attached to Correction/Amendment of Medical Record consent form).

11. Patients are provided access to their medical records and receive copies upon completing a *Request for Copy of Medical Records* form. If Nurture Health is unable to provide copies based upon the HIPAA guidelines, written notice with a *Medical Record Approval or Denial Letter* is provided to the patient. Patients have access to an electronic portal for review of selected medical records.
12. Anyone who feels the confidentiality of a patient's PHI has been violated may submit a *Concern or Complaint Form* to the Chief Compliance Officer. Complaints are kept confidential and no retaliation may occur because of the complaint. Complaints are logged in the Chief Compliance Officer's *Incident Event Log* (attached to *the Concern or Complaint Form*).
13. Employees who violate the privacy of a patient's PHI are subject to disciplinary actions varying from a warning to termination.
14. Nurture Health employees receive initial and annual training on prevention of misuse and authorization of appropriate use of PHI.
15. Nurture Health secures a Business Associate Agreement (BAA) with others performing services on behalf of the patient by Nurture Health. PHI are not shared or released to employers or financial institutions without written authorization from the patient or legal guardian.
16. Nurture Health providers who use the electronic medical record and confidential patient data have a secure and protected portal.
17. The patient may submit an *Authorization for Use and Disclosure of Protected Health Information* to authorize disclosure of PHI to others determined by you or Nurture Health to assist with your care.
18. Students, residents, volunteers and others performing duties at the clinic sign Nurture Health's *Information Security and Confidentiality Agreement* prior to engagement in activities.