

CASTLE HOME CARE, INC.

NOTICE OF PRIVACY PRACTICES

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.

USE AND DISCLOSURE OF HEALTH INFORMATION

Castle Home Care may use your health information for purposes of providing you treatment, obtaining payment for your care and conducting health care operations. Your health information may be used or disclosed only after the Home Health agency has obtained your written consent. The Home Health agency has established a policy to guard against unnecessary disclosure of your health information.

THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER WHICH AND PURPOSES FOR WHICH YOUR HEALTH INFORMATION MAY BE USED AND DISCLOSED AFTER YOU HAVE PROVIDED YOUR WRITTEN CONSENT:

To Provide Treatment. The Home Health agency may use your health information to coordinate care within the Home Health agency and with others involved in your care, such as your attending physician, members of the Home Health agency interdisciplinary team and other health care professionals who have agreed to assist The Home Health agency in coordinating care. For example, physicians involved in your care will need information about your symptoms in order to prescribe appropriate medications. The Home Health agency also may disclose your health care information to individuals outside of the Home Health agency involved in your care including family members, clergy whom you have designated, pharmacists, suppliers of medical equipment or other health care professionals that the Home health agency uses in order to coordinate your care.

To Obtain Payment. The Home Health agency may include your health information in invoices to collect payment from third parties for the care you receive from the Home Health agency. For example, the Home Health agency may be required by your health insurer to provide information regarding your health care status so that the insurer will reimburse you or the Home Health agency. The Home Health agency also may need to obtain prior approval from your insurer and may need to explain to the insurer your need for home health agency care and the services that will be provided to you.

To Conduct Health Care Operations. The Home Health agency may use and disclose health information for its own operations in order to facilitate the function of the Home Health agency and as necessary to provide quality care to all of the Home Health agency's patients. Health care operations includes such activities as:

- Quality assessment and improvement activities.
- Activities designed to improve health or reduce health care costs.
- Protocol development, case management and care coordination.
- Contacting health care providers and patients with information about treatment alternatives and other related functions that do not include treatment.
- Professional review and performance evaluation.
- Training programs including those in which students, trainees or practitioners in health care learn under supervision.
- Training of non-health care professionals.
- Accreditation, certification, licensing or credentialing activities.
- Review and auditing, including compliance reviews, medical reviews, legal services and compliance programs.

- Business planning and development including cost management and planning related analyses and formulary development.
- Business management and general administrative activities of the Home Health agency
- Fundraising for the benefit of the Home Health agency and certain marketing activities. For example the Home Health agency may use your health information to evaluate its staff performance, combine your health information with other home health agency patients in evaluating how to more effectively serve all home health agency patients, disclose your health information to home health agency staff and contracted personnel for training purposes, use your health information to contact you as a reminder regarding a visit to you, or contact you or your family as part of general fundraising and community information mailings (unless you tell us you do not want to be contacted).

Federal Privacy Rules allow the Home health agency to use or disclose your health information without your consent or authorization for a number of reasons.

When Legally Required. The Home Health agency will disclose your health information when it is required to do so by any Federal, State or local law.

When There Are Risks to Public Health. The Home Health agency may disclose your health information for public activities and purposes in order to:

- Prevent or control disease, injury or disability, report disease, injury, vital events such as birth or death and the conduct of public health surveillance, investigations and interventions.
- Report adverse events, product defects, to track products or enable product recalls, repairs and replacements and to conduct post-marketing surveillance and compliance with requirements of the Food and Drug Administration.
- Notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease.
- Notify an employer about an individual who is a member of the workforce as legally required.

To Report Abuse, Neglect Or Domestic Violence. The Home Health agency is allowed to notify government authorities if the Home Health agency believes a patient is the victim of abuse, neglect or domestic violence. The Home Health agency will make this disclosure only when specifically required or authorized by law or when the patient agrees to the disclosure.

To Conduct Health Oversight Activities. The Home Health agency may disclose your health information to a health oversight agency for activities including audits, civil administrative or criminal investigations, inspections, licensure or disciplinary action. The Home Health agency, however, may not disclose your health information if you are the subject of an investigation and your health information is not directly related to your receipt of health care or public benefits.

In Connection With Judicial And Administrative Proceedings. The Home Health agency may disclose your health information in the course of any judicial or administrative proceeding in response to an order of a court or administrative tribunal as expressly authorized by such order or in response to a subpoena, discovery request or other lawful process, but only when the Home Health agency makes reasonable efforts to either notify you about the request or to obtain an order protecting your health information.

For Law Enforcement Purposes. The Home Health agency may disclose your health information to a law enforcement official for certain law enforcement purposes as follows:

- As required by law for reporting of certain types of wounds or other physical injuries pursuant to the court order, warrant, subpoena or summons or similar process.
- For the purpose of identifying or locating a suspect, fugitive, material witness or missing person.
- Under certain limited circumstances, when you are the victim of a crime.

- To a law enforcement official if the Home Health agency has a suspicion that your death was the result of criminal conduct including criminal conduct at the Home Health agency
- In an emergency in order to report a crime.

To Coroners And Medical Examiners. The Home Health agency may disclose your health information to coroners and medical examiners for purposes of determining your cause of death or for other duties, as authorized by law.

To Funeral Directors. The Home Health agency may disclose your health information to funeral directors consistent with applicable law and if necessary, to carry out their duties with respect to your funeral arrangements. If necessary to carry out their duties, the Home Health agency may disclose your health information prior to and in reasonable anticipation of your death.

In the Event of A Serious Threat To Health or Safety. The Home Health agency may, consistent with applicable law and ethical standards of conduct, disclose your health information if the Home Health agency in good faith believes that such disclosure is necessary to prevent or lessen a serious and imminent threat to your health or safety or to the health and safety of the public.

For Specified Government Functions. In certain circumstances, the Federal regulations authorize the Home Health agency to use or disclose your health information to facilitate specified government functions relating to military and veterans, national security and intelligence activities, protective services for the President and others, medical suitability determinations and inmates and law enforcement custody.

For Workers Compensation. The Home Health agency may release your health information for worker's compensation or similar programs.

AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION

Other than is stated above, the Home Health agency will not disclose your health information other than with your written authorization. If you or your representative authorizes the Home Health agency to use or disclose your health information, you may revoke that authorization in writing at any time.

YOUR RIGHTS WITH RESPECT TO YOUR HEALTH INFORMATION

You have the following rights regarding your health information that the Home Health agency maintains:

- **Right to request restrictions.** You may request restrictions on certain uses and disclosures of your health information. You have the right to request a limit on the Home Health agency's disclosure of your health information to someone who is involved in your care or the payment of your care. However, the Home Health agency is not required to agree to your request. If you wish to make a request for restrictions, please contact the agency Administrator, Rita Pederson, RN, BSN; Director at (303) 663-3663.

- **Right to receive confidential communications.** You have the right to request that the Home Health agency communicate with you in a certain way. For example, you may ask that the Home Health agency only conduct communications pertaining to your health information with you privately with no other family members present. If you wish to receive confidential communications, please contact Rita Pederson, RN, BSN; Director at (303) 663-3663. The Home Health agency will not request that you provide any reasons for your request and will attempt to honor your reasonable requests for confidential communications.

- **Right to inspect and copy your health information.** You have the right to inspect and copy your health information, including billing records. A request to inspect and copy records containing your health information may be made to Rita Pederson, RN, BSN; Director at (303) 663-3663. If you request a copy of your health information, the Home Health agency may charge a reasonable fee for copying and assembling costs associated with your request.

- **Right to amend health care information.** If you or your representative believes that your health information records are incorrect or incomplete, you may request that the Home Health agency amend the records. That request may be made as long as the information is maintained by the Home Health agency. A request for an amendment of records must be made in writing to Rita Pederson, RN, BSN; Director at (303) 663-3663. The Home Health agency may deny the request if it is not in writing or does not include a reason for the amendment. The request also may be denied if your health information records were not created by the

Home Health agency, if the records you are requesting are not part of the Home Health agency's records, if the health information you wish to amend is not part of the health information you or your representative are permitted to inspect and copy, or if, in the opinion of the Home Health agency, the records containing your health information are accurate and complete.

- **Right to an accounting.** You or your representative have the right to request an accounting of disclosures of your health information made by the Home Health agency for any reason other than for treatment, payment or health operations. The request for an accounting must be made in writing to Rita Pederson, RN, BSN; Director at (303) 663-3663. The request should specify the time period for the accounting starting on April 14, 2003. Accounting requests may not be made for periods of time in excess of six (6) years. The Home Health agency would provide the first accounting you request during any 12-month period without charge. Subsequent accounting requests may be subject to a reasonable cost-based fee.

- **Right to a paper copy of this notice.** You or your representative have a right to a separate paper copy of this Notice at any time even if you or your representative have received this Notice previously. To obtain a separate paper copy, please contact Rita Pederson, RN, BSN; Director at (303) 663-3663.

DUTIES OF THE HOME HEALTH AGENCY

The Home Health agency is required by law to maintain the privacy of your health information and to provide to you and your representative this Notice of its duties and privacy practices. The Home Health agency is required to abide by the terms of this Notice as may be amended from time to time. The Home Health agency reserves the right to change the terms of its Notice and to make the new Notice provisions effective for all health information that it maintains. If the Home Health agency changes its Notice, the Home Health agency will provide a copy of the revised Notice to you or your appointed representative. You or your personal representative have the right to express complaints to the Home Health agency and to the Secretary of Health and Human Services if you or your representative believe that your privacy rights have been violated. Any complaints to The Home Health agency should be made in writing to Rita Pederson, RN, BSN; Director at (303) 663-3663. The Home Health agency encourages you to express any concerns you may have regarding the privacy of your information. You will not be retaliated against in any way for filing a complaint.

CONTACT PERSON

The Home Health agency's contact person for all issues regarding patient privacy and your rights under the Federal privacy standards.

Rita Pederson, RN, BSN; Director
Telephone: (303) 663-3663

EFFECTIVE DATE

This Notice is effective April 14, 2003.