

## 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.**

### Purpose

Texas Children's Hospital Integrated Delivery System ("TCH IDS"), which includes Texas Children's Hospital, Texas Children's Home Health Services, Texas Children's Pediatric Associates, Texas Children's International, and Texas Children's Health Plan and its professional staff, employees, volunteers, and Medical Staff follow the privacy practices described in this Notice. This Notice, which was developed to comply with the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), describes the general ways your protected health information ("PHI") may be used and disclosed in order for TCH IDS to provide you with medical treatment, to collect payment for the services rendered to you by TCH IDS, and to facilitate TCH IDS health care operations. PHI, as defined by HIPAA, means your personal health information which is found in your medical and billing records and which relates to your past, present, or future physical or mental health conditions or the provision of payment for services related to those health conditions. During the course of treatment, payment and health care operations activities, this may include information created or received by health care providers, insurance companies, and/or your employer.

### Your Health Information Rights

You have the following rights regarding your PHI. To exercise any of the following rights, you must submit a written request. Forms are available on our website, <http://www.texaschildrenshospital.org>, or by contacting the TCH IDS Privacy Office at (832) 824-2091.

- **A copy of this Notice.** You may obtain a paper copy of this Notice at any time, even if you have been provided with an electronic copy. You do not have to submit a written request to obtain the Notice. Paper copies of this Notice may be obtained from any registration or admissions desk. You may obtain an electronic copy of this Notice on our web site, <http://www.texaschildrenshospital.org>.
- **Inspect and copy.** You may inspect and/or receive a copy of your PHI maintained by TCH IDS. TCH IDS may charge you a reasonable fee for copying your information.
- **Request amendment.** If you believe your PHI maintained by TCH IDS is incorrect or incomplete, you may request an amendment to your information. TCH IDS is not required to agree to your request.
- **Request restriction.** You may request limitations on how TCH IDS uses and/or discloses your PHI. TCH IDS is not required to agree to your request. If TCH IDS agrees to your request, TCH IDS will comply with your request unless the use or disclosure is necessary in order to provide you with emergency treatment or is otherwise required by law.
- **Receive confidential communications.** You may request communications from TCH IDS regarding your PHI be provided to you in a certain way or at a certain location. For example, you may prefer to receive mail regarding your PHI at an address other than your usual mailing address. You must specify how or where you wish to be contacted.
- **Accounting of disclosures.** You may request a list of disclosures made by TCH IDS of your PHI to persons or entities other than for the purposes of treatment, payment or health care operations, or pursuant to your specific authorization. This list will contain each disclosure TCH IDS has made for the past six (6) years, but not prior to April 14, 2003. If you make more than one request in a 12-month period, TCH IDS may charge you a reasonable fee.

### TCH IDS Responsibilities

TCH IDS is required by law to ensure your PHI is kept private in accordance with federal and state law and provide you with notice of TCH IDS' legal duties and privacy practices with respect to your PHI. TCH IDS is required to abide by the terms of this notice as long as it is in effect. If TCH IDS revises this Notice, TCH IDS will follow the terms of the revised Notice as long as it is in effect.

### Use and Disclosure of Your Protected Health Information

The following is a list of ways TCH IDS may use and disclose your PHI. Not every possible use or disclosure in any given section is listed. However, all of the ways TCH IDS is permitted to use and disclose your PHI will fall within one of the bold-faced print sections below.

- **Treatment.** TCH IDS may use your PHI to provide you with medical treatment or services. TCH IDS may disclose your PHI to doctors, nurses, technicians, medical students or other members of your health care team at TCH IDS to keep them informed about your care status or condition as necessary. For example, a doctor treating you for diabetes may need to tell the dietitian that you have diabetes so appropriate meals can be arranged. TCH IDS also may disclose your PHI to people outside TCH IDS who may be involved in your medical care, such as health care providers who will provide follow-up care after hospitalization, physical therapy organizations, medical equipment suppliers, or laboratories.
- **Payment.** TCH IDS may use and disclose your PHI to obtain payment from your insurance company or a third party. For example, TCH IDS may need to provide your health plan with information about treatment you received for an ear infection so that your health plan will pay us or reimburse you for the treatment. Also, TCH IDS may disclose your PHI to your other health care providers to assist those providers in obtaining payment from your insurance company or a third party.
- **Health Care Operations.** TCH IDS may use and disclose your PHI for routine health care operations. Health care operations at TCH IDS include, but are not limited to, training and education programs, reviewing the quality of care provided by health care professionals; obtaining health insurance or stop-gap insurance; conducting legal services and auditing services; conducting business planning and development activities; conducting risk management activities and investigations; and managing the business and general administrative activities of TCH IDS. TCH IDS may also disclose your PHI to your other health care providers to assist them in their health care operations.
- **Appointments and Alternatives.** TCH IDS may use and disclose your PHI to contact you to provide appointment reminders, prescription refill reminders, information about disease management or wellness programs, and other communications regarding your case management or health care coordination.

- **Business Associates.** TCH IDS may disclose your PHI to TCH IDS business associates in order to carry out treatment, payment, or health care operations.
- **Coroners, Medical Examiners and Funeral Directors.** TCH IDS may disclose PHI to a coroner or medical examiner to identify a deceased person or to determine the cause of death, or as otherwise permitted by law. TCH IDS may also disclose PHI about patients of TCH IDS to funeral directors as necessary to carry out their duties.
- **Correctional Institutions.** If you are an inmate of a correctional institution or under the custody of a law enforcement official, TCH IDS may disclose your PHI to the correctional institution or law enforcement official to provide you with health care, to protect your health and safety or the health and safety of others, or for the safety and security of the correctional institution or law enforcement official.
- **Fundraising Activities.** TCH IDS may use certain portions of your PHI, including your name, address, phone number and the dates you received treatment or services at TCH IDS to contact you regarding efforts to raise funds to support hospital programs and operations. If you do not want TCH IDS to contact you about a contribution or fundraising program, please contact the Development Office at (832) 824-6806
- **Group Health Plans.** TCH IDS maintains a group health plan for its employees, and may disclose PHI of individuals covered under this plan to the sponsor of the group health plan, as permitted by law.
- **Health Oversight Activities.** TCH IDS may disclose your PHI to a health oversight agency or entity for activities authorized by law, such as audits, investigations, inspections, and licensure.
- **Health-Related Benefits and Services.** TCH IDS may use and disclose your PHI to inform you about health-related benefits or services that may be of interest to you or to provide you a promotional gift of nominal value.
- **Hospital Directory.** TCH IDS may use your PHI to maintain a hospital directory while you are a patient in Texas Children's Hospital. This information includes your name, your location in the Hospital, your general condition, and your religious affiliation ("Directory Information"). Directory Information, except for your religious affiliation, may be disclosed to people who ask for you by name. Your religious affiliation may be given to a member of the clergy, such as a priest or rabbi, even if the clergy member does not ask for you by name. In the event that you do not wish your Directory Information to be available, you may notify the Hospital at the time of your admission.
- **Individuals Involved in Your Care or Payment for Your Care.** TCH IDS may disclose your PHI to a family member, other relative, or close personal friend who is involved in your medical care or to someone who helps pay for your care if the PHI disclosed is directly relevant to such person's involvement with your care, unless you tell us otherwise.
- **Law Enforcement.** TCH IDS may disclose your PHI for law enforcement purposes, as required by law or in response to a valid subpoena.
- **Lawsuits and Disputes.** TCH IDS may disclose your PHI in response to a court or administrative order. In addition, TCH IDS may disclose your PHI in response to a valid subpoena, discovery request, or other lawful process provided that efforts have been made to tell you about the request or to obtain an order protecting the information requested, as required by law.
- **Organ and Tissue Donation.** TCH IDS may disclose PHI to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank to facilitate organ or tissue donation and transplantation.
- **Public Health Activities.** As required by law, TCH IDS may disclose your PHI for public health activities, including, but not limited to, the prevention of disease, injury, or disability; reporting births and deaths; reporting child abuse or neglect; reporting reactions to medications or product problems; notification of recalls; infectious disease control; notifying government authorities of suspected abuse, neglect or domestic violence. TCH IDS may disclose portions of your PHI to local, state and/or federal registry programs as required.
- **Research.** TCH IDS may disclose your PHI to researchers when the research has been legally approved and protocols have been established to ensure the privacy of your PHI.
- **Serious Threat to Health or Safety.** TCH IDS may use and disclose your PHI when TCH IDS deems it necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person.
- **Workers' Compensation.** TCH IDS may disclose your PHI to workers' compensation or similar programs to the extent necessary to comply with laws relating to worker's compensation or similar programs.

### **Written Authorization**

Except as described above, TCH IDS will not use or disclose your PHI unless you authorize TCH IDS to do so, in writing, on the form provided by TCH IDS. You may revoke any prior authorization in writing. A written revocation will not apply to any previous use or disclosure of PHI made in good faith under a prior authorization.

An Authorization form and Revocation of Authorization form are available on our website, <http://www.texaschildrenshospital.org>, or by contacting the TCH IDS Privacy Office at (832) 824-2091.

### **Changes to This Notice**

TCH IDS reserves the right to change this Notice and to make the revised Notice effective for PHI TCH IDS already has about you as well as any information TCH IDS receives in the future. A copy of the current Notice or a summary of the current Notice will be posted at patient service locations throughout TCH IDS and on our website, <http://www.texaschildrenshospital.org>. The effective date of the Notice will appear on the first page of the Notice or summary. In addition, each time you register at or are admitted to any TCH IDS entity for treatment or health care services as an inpatient or outpatient, TCH IDS will have available for you, at your request, a copy of the current Notice in effect.

### **Complaints**

If you believe your privacy rights have been violated, you may file a complaint with the TCH IDS Privacy Office at (832) 824-2091, or with the Secretary of the United States Department of Health and Human Services. *You will not be penalized or retaliated against in any way for making a complaint.*

### **Contact**

If you have any questions about this Notice or your privacy rights, or wish to obtain a form to exercise your rights as described above, you may contact the TCH IDS Privacy Office at (832) 824-2091.