

**Pediatric Care Unlimited, Inc.  
230 George St, Suite 4  
Beckley, WV 25801**

## **Notice Of Privacy Practices**

**Effective Date of this Notice: April 14, 2003**

As required by the Privacy Regulations created as a result of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

**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!**

**A. Our Commitment to Your Privacy**

Our practice is dedicated to maintaining the privacy of your child's individually identifiable health information (IIHI). In conducting our business, we will create records regarding your child and the treatment and services we provide to him/her. We are required by law to maintain the confidentiality of health information that identifies you and your child. We also are required by law to provide you with this notice of our legal duties and the privacy practices that we maintain in our practice concerning your child's IIHI. By federal and state law, we must follow the terms of the notice of privacy practices that we have in effect at that time.

We realize that these laws are complicated, but we must provide you with the following information:

- How we may use and disclose your child's IIHI
- Your privacy rights with regard to your child's IIHI
- Our obligations concerning the use and disclosure of your IIHI

**The terms of this notice apply to all records containing your child's IIHI that are created or retained by our practice. We reserve the right to revise or amend this Notice of Privacy Practices. Any revision or amendment to this notice will be effective for all of your child's records that we may create or maintain in the future. Our practice will post a copy of our current Notice in our office in a visible location at all times, and you may request a copy of our most current Notice at any time.**

**B. If You Have Questions About This Notice, Please Contact:**

Office Manager or Privacy Officer  
Pediatric Care Unlimited, Inc.  
230 George St. Suite 4  
Beckley, WV 25801  
304-252-9227

**C. We May Use And Disclose Your Child's Individually Identifiable Health Information (IIHI) in the Following Ways:**

1. **Treatment**—Our practice may use your child's IIHI to treat him/her. For example, we may ask you to have some laboratory tests (such as blood or urine tests) performed on your child, and we may use those results to help us reach a diagnosis. We might use your child's IIHI in order to write a prescription for him/her, or we might disclose your child's IIHI to a pharmacy when we order a prescription for him/her. Any of the people who work for our practice—including, but not limited to, our doctors and nurses—may use or disclose your child's IIHI in order to treat him/her or to assist others in his/her treatment. Additionally, we may disclose your child's IIHI to others who may assist in his/her care, such as your spouse. Finally, we may also disclose your child's IIHI to other health care providers for purposes related to his/her treatment.
2. **Payment**—Our practice may use and disclose your child's IIHI in order to bill and collect payment for the services and items he/she may receive from us. For example, we may contact your health insurer to certify that your child is eligible for benefits (and for what range of benefits), and we may provide your insurer with details regarding your child's treatment to determine if your insurer will cover, or pay for, his/her treatment. We also may use or disclose your child's IIHI to obtain payment from third parties that may be responsible for such costs. Also we may use your child's IIHI to bill you directly for services and items. We may disclose your child's IIHI to other health care providers and entities to assist in their billing and collection efforts.
3. **Health Care Operations**—Our practice may use and disclose your child's IIHI to operate our business. As examples of the ways in which we may use and disclose your child's information for our operations, our practice may use your child's IIHI to evaluate the quality of care he/she received from us, or to conduct cost-management and business planning activities for our practice. We may disclose your child's IIHI to other health care providers and entities to assist in their health care operations.
4. **Appointment Reminders**—Our practice may use and disclose your child's IIHI to contact you and remind you of an appointment.
5. **Treatment Options**—Our practice may use and disclose your child's IIHI to inform you of potential treatment options or alternatives.
6. **Health-Related Benefits and Services**—Our practice may use and disclose your child's IIHI to inform you of health-related benefits or services that may be of interest to you.
7. **Release of Information to Family/Friends**—Our practice may release your child's IIHI to a friend or family member that is involved in his/her care, or who assists in taking care of your child. For example, you may ask that a babysitter bring your child to our office for treatment. The babysitter would then be allowed to have access to your child's medical information.

8. **Disclosures Required By Law**—Our practice will use and disclose your child’s IIHI when we are required to do so by federal, state, or local law.

#### **D. Use and Disclosure of Your Child’s IIHI in Certain Special Circumstances**

1. **Public Health Risks**—Our practice may disclose your child’s IIHI to public health authorities that are authorized by law to collect information for the purpose of:
  - maintaining vital records, such as births and deaths
  - reporting child abuse or neglect
  - preventing or controlling disease, injury or disability
  - notifying a person regarding potential exposure to a communicable disease
  - notifying a person regarding a potential risk for spreading or contracting a disease or condition
  - reporting reactions to drugs or problems with products or devices
  - notifying individuals if a product or device they may be using has been recalled
2. **Health Oversight Activities**—Our practice may use and disclose your child’s IIHI to a health oversight agency for activities authorized by law. Oversight activities can include, for example, investigation, inspections, audits, surveys, licensure and disciplinary actions; civil, administrative, and criminal procedures or actions; or other activities necessary for the government to monitor government programs, compliance with civil rights laws and the health care system in general.
3. **Lawsuits and Similar Proceedings**—Our practice may use and disclose your child’s IIHI in response to a court or administrative order, if he/she is involved in a lawsuit or similar proceeding. We also may disclose your child’s IIHI in response to a discovery request, subpoena, or other lawful process by another party involved in the dispute, but only if we have made an effort to inform you of the request or to obtain an order protecting the information the party has requested.
4. **Law Enforcement**—Our practice may disclose your child’s IIHI if asked to do so by a law enforcement official:
  - Regarding a crime victim in certain situations, if we are unable to obtain the persons agreement.
  - Concerning a death we believe has resulted from criminal conduct
  - Regarding criminal conduct at our office
  - In response to a warrant, summons, court order, subpoena or similar legal process
  - To identify/locate a suspect, material witness, fugitive, or missing person
  - In an emergency, to report a crime (including the location or victim(s) of the crime, or the description, identity, or location of the perpetrators
5. **Deceased Patients**—Our practice may disclose your child’s IIHI to a medical examiner or coroner to identify a deceased individual or to identify the cause of death. If necessary, we also may disclose information in order for funeral directors to perform their jobs.
6. **Organ and Tissue Donation**—Our practice may disclose your child’s IIHI to organizations that handle organ, eye, or tissue procurement or transplantations, including organ donation banks, as necessary to facilitate organ or tissue donation and transplantation if your child is an organ donor.

7. **Research**—Our practice may use and disclose your child’s IIHI for research purposes in certain limited circumstances. We will obtain your written authorization to use your child’s IIHI for research purposes except when an Internal Review Board or Privacy Board has determined that the waiver of your authorization satisfies the following: (i) the use or disclosure involves no more than a minimal risk to your privacy based on the following: (a) an adequate plan to protect the identifiers from improper use and disclosure; (b) an adequate plan to destroy the identifiers at the earliest opportunity consistent with the research (unless there is a health or research justification for retaining the identifiers or such retention is otherwise required by law); and (c) adequate written assurances that the PHI will not be re-used or disclosed to any other person or entity (except as required by law) for authorized oversight of the research study, or for other research for which the use or disclosure would otherwise be permitted; (ii) the research could not be practicably conducted without the waiver; and (iii) the research would not practicably be conducted without access to and use of the PHI.
8. **Serious Threats to Health or Safety**—Our practice may use and disclose your child’s IIHI when necessary to reduce or prevent a serious threat to his/her health and safety or the health and safety of another individual or the public. Under these circumstances, we will only make disclosures to a person or organization able to help prevent the threat.
9. **Military**—Our practice may disclose your child’s IIHI if you are a member of U.S. or foreign military forces (including veterans) and if required by the appropriate authorities.
10. **National Security**—Our practice may disclose you child’s IIHI to federal officials for intelligence and national security activities authorized by law. We may also disclose your child’s IIHI to federal officials in order to protect the President, other officials or foreign heads of state, or to conduct investigations.
11. **Inmates**—Our practice may disclose your child’s IIHI to correctional institutions or law enforcement officials if he or she is an inmate or under the custody of a law enforcement official. Disclosure for these purposes would be necessary: (a) for the institution to provide health care services to your child, (b) for the safety and security of the institution, and/or (c) to protect your child’s health and safety or the health and safety of other individuals.
12. **Worker’s Compensation**—Our practice may disclose your child’s IIHI for worker’s compensation and similar programs.

## **E. Your Rights Regarding Your Child’s IIHI**

You have the following rights regarding the IIHI that we maintain about your child:

1. **Confidential Communication**—You have the right to request that our practice communicate with you about your child’s health and related issues in a particular manner or at a certain location. For instances, you may ask that we contact you at home, rather than work. In order to request a type of confidential communication, you must submit a written request to the office manager, specifying the requested method of contact, or the location where you wish to be contacted. (You may contact the office manager at 304-252-9227 for further information.) Our practice will accommodate reasonable requests. You do not need to give a reason for your request.
2. **Requesting Restrictions**—You have the right to request a restriction in our use and disclosure of your child’s IIHI for treatment, payment, or health care operations. Additionally, you have the right to request that we restrict our disclosure of your child’s IIHI to only certain individuals involved in your child’s care or the payment for his/her care, such as family members and friends. We are not required to agree to your request,

however, if we do agree, we are bound by our agreement except when otherwise required by law, in emergencies, or when the information is necessary to treat your child. In order to request a restriction in our use or disclosure of your child's IHI, you must submit your request in writing to the office manager. (You may contact the office manager at 304-252-9227 for further information.) Your request must describe in a clear and concise fashion:

- a) the information you wish restricted;
- b) whether you are requesting to limit our practice use, disclosure or both;  
and
- c) to whom you want the limits to apply.

3. **Inspection and Copies**—You have the right to inspect and obtain a copy of the IHI that may be used to make decision's about your child, including patient medical records and billing records, but not including psychotherapy notes. You must submit your request in writing to the office manager in order to inspect and/or obtain a copy of your child's IHI. (You may contact the office manager at 304-252-9227 for further information.) Our practice may charge a fee for the cost of copying, mailing, labor, and supplies associated with your request. Our practice may deny your request to inspect and/or copy in certain limited circumstances; however, you may request a review of our denial. Another licensed health care professional chosen by us will conduct reviews.
4. **Amendments**—You may ask us to amend your child's health information if you believe it is incorrect or incomplete, and you may request an amendment for us as long as the information is kept by us for our practice. To request an amendment, your request must be made in writing to the office manager. (You may contact the office manager at 304-252-9227 for further information.) You must provide us with a reason that supports your request for amendment. We may deny your request if you ask us to amend information that is in our opinion: (a) accurate and complete; (b) not part of the IHI kept by or for the practice; (c) not part of the IHI which you would be permitted to inspect and copy; or (d) not created by our practice, unless the individual or entity that created the information is not available to amend the information.
5. **Accounting of Disclosures**—All of our patients have the right to request an "accounting of disclosures." An "accounting of disclosures" is a list of certain non-routine disclosures our practice has made of your child's IHI for non-treatment, non-payment, or non-operations purposes. Use of your child's IHI as part of the routine patient care in our practice is not required to be documented. For example, the doctor sharing information with the nurse; or the billing department using your information to file your insurance claim. In order to obtain an accounting of disclosures, you must submit your request in writing to the office manager. (You may contact the office manager at 304-252-9227 for further information.) All requests for an "accounting of disclosures" must state a time period, which may not be longer than six (6) years from the date of disclosure and may not include dates before April 14, 2003. The first list you request within a 12 month period is free of charge, but our practice may charge you for additional lists within the same 12-month period. Our practice will notify you of the costs involved with additional requests, and you may withdraw your request before you incur any costs.
6. **Right to a Paper Copy of This Notice**—You are entitled to receive a paper copy of our "Notice of Privacy Practices". You may ask us to give you a copy of this notice at any time. To obtain a paper copy of this notice, contact our office at 304-252-9227.
7. **Right to File a Complaint**—If you believe your privacy rights have been violated, you may file a complaint with our practice or with the Secretary of the Department of Health and Human Services. To file a complaint with our practice, contact the office manager.

(You may contact the office manager at 304-252-9227 for further information.) All complaints must be submitted in writing. You will not be penalized for filing a complaint.

8. **Right to Provide an Authorization for Other Uses and Disclosure**—Our practice will obtain your written authorization for uses and disclosures that are not identified by this notice or permitted by applicable law. Any authorization you provide to us regarding the use and disclosure of your child's IHI may be revoked at any time in writing. After you revoke your authorization, we will no longer use or disclose your child's IHI for the reasons described in the authorization. Please note, we are required to retain records of your care.

Again, if you have any questions regarding this notice of our health information privacy policies, you may contact the office manager at 304-252-9227 for further information.