

# Manatee Wellness & Chiropractic Centers

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## NOTICE OF PRIVACY PRACTICES

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THAT INFORMATION. PLEASE REVIEW THIS NOTICE CAREFULLY.**

Manatee Wellness & Chiropractic Centers is committed to maintaining the privacy of your protected health information (PHI), which includes information about your health condition and the care and treatment you receive from this office. The creation of a record detailing the care and services you receive helps this office to provide you with quality health care. This Notice details how your PHI may be used and disclosed to third parties. This Notice also details your rights regarding your PHI. The privacy of PHI in patient files will be protected when the files are taken to and from this office by placing the files in a box or brief case and kept within the custody of a doctor or employee authorized to remove the files from the office. It may be necessary to take patient files to a facility where a patient is confined or to a patient's home where the patient is to be examined or treated.

### **NO CONSENT REQUIRED**

Manatee Wellness & Chiropractic Centers may use and/or disclose your PHI for the purposes of:

- (a) Treatment - In order to provide you with the health care you require, this office will provide your PHI to those health care professionals, whether with Manatee Wellness & Chiropractic Centers or not, directly involved in your care so that they may understand your health condition and needs. For example, a physician treating you for a condition or disease may need to know the results of your latest physician examination by this office.
- (b) Payment - In order to get paid for services provided to you, this office will provide your PHI, directly or through a billing service, to appropriate third party payers, pursuant to their billing and payment requirements.

1. Manatee Wellness & Chiropractic Centers may use and/or disclose your PHI, without a written Consent from you, in the following additional instances:

- (a) De-identified Information - Information that does not identify you and, even without your name, cannot be used to identify you.
- (b) Business Associate - To a business associate if Manatee Wellness & Chiropractic Centers obtains satisfactory written assurance, in accordance with applicable law, that the business associate will appropriately safeguard your PHI. A business associate is an entity that assists Manatee Wellness & Chiropractic Centers in undertaking some essential function, such as a billing company that assists the office in submitting claims for payment to insurance companies or other payers.
- (c) Personal Representative - To a person who, under applicable law, has the authority to represent you in making decisions related to your health care
- (d) Emergency Situations -
  - (i) for the purpose of obtaining or rendering emergency treatment to you provided that Manatee Wellness & Chiropractic Centers attempts to obtain your Consent as soon as possible; or
  - (ii) to a public or private entity authorized by law or by its charter to assist in disaster relief efforts, for the purpose of coordinating your care with such entities in an emergency situation.
- (e) Communication Barriers - If, due to substantial communication barriers or inability to communicate, Manatee Wellness & Chiropractic Centers has been unable to obtain your Consent and the office

determines, in the exercise of its professional judgment, that your Consent to receive treatment is clearly inferred from the circumstances.

- (f) Public Health Activities - Such activities include, for example, information collected by a public health authority, as authorized by law, to prevent or control disease and that does not identify you and, even without your name, cannot be used to identify you.
- (g) Abuse, Neglect or Domestic Violence - To a government authority if Manatee Wellness & Chiropractic Centers is required by law to make such disclosure; if Manatee Wellness & Chiropractic Centers is authorized by law to make such a disclosure, it will do so if it believes that the disclosure is necessary to prevent serious harm
- (h) Health Oversight Activities - Such activities, which must be required by law, involve government agencies and may include, for example, criminal investigations, disciplinary actions, or general oversight activities relating to the community's health care system.
- (i) Judicial and Administrative Proceeding - For example, Manatee Wellness & Chiropractic Centers may be required to disclose your PHI in response to a court order or a lawfully issued subpoena.
- (j) Law Enforcement Purposes - In certain instances, your PHI may have to be disclosed to a law enforcement official. For example, your PHI may be the subject of a grand jury subpoena. Or, Manatee Wellness & Chiropractic Centers may disclose your PHI if it believes that your death was the result of criminal conduct.
- (k) Coroner or Medical Examiner - Manatee Wellness & Chiropractic Centers may disclose your PHI to a coroner or medical examiner for the purpose of identifying you or determining your cause of death.
- (l) Organ, Eye or Tissue Donation - If you are an organ donor, Manatee Wellness & Chiropractic Centers may disclose your PHI to the entity to whom you have agreed to donate your organs.
- (m) Research - If Manatee Wellness & Chiropractic Centers is involved in research activities, your PHI may be used, but such use is subject to numerous governmental requirements intended to protect the privacy of your PHI and that does not identify you and, even without your name, cannot be used to identify you.
- (n) Avert a Threat to Health or Safety - Manatee Wellness & Chiropractic Centers may disclose your PHI if it believes that such disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public and the disclosure is to an individual who is reasonably able to prevent or lessen the threat.
- (o) Workers' Compensation - If you are involved in a Workers' Compensation claim, Manatee Wellness & Chiropractic Centers may be required to disclose your PHI to an individual or entity that is part of the Workers' Compensation system.

## **APPOINTMENT REMINDER**

Manatee Wellness & Chiropractic Centers may, from time to time, 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. The following appointment reminders are used by Manatee Wellness & Chiropractic Centers: a) a postcard mailed to you at the address provided by you; b) telephoning your home and leaving a message on your answering machine or with the individual answering the phone; c) an appointment card with your name and appointment date and time printed on it; and d) an e-mail to remind you of an upcoming appointment or missed appointment to the e-mail address that you have provided.

## **SIGN-IN LOG**

Manatee Wellness & Chiropractic Centers maintains a sign-in log for individuals seeking care and treatment in the office. The sign-in log is located in a position where staff can readily see who is seeking care in the office, as well as the individual's location within Manatee Wellness & Chiropractic Centers's office suite. This information may be seen by, and is accessible to, others who are seeking care or services in Manatee Wellness & Chiropractic Centers's offices.

## **FAMILY/FRIENDS**

Manatee Wellness & Chiropractic Centers may disclose to your family member, other relative, a close personal friend, or any other person identified by you, your PHI directly relevant to such person's involvement with your care

or the payment for your care. Manatee Wellness & Chiropractic Centers may also use or disclose your PHI to notify or assist in the notification (including identifying or locating) a family member, a personal representative, or another person responsible for your care, of your location, general condition or death. However, in both cases, the following conditions will apply:

- (a) If you are present at or prior to the use or disclosure of your PHI, Manatee Wellness & Chiropractic Centers may use or disclose your PHI if you agree, or if Manatee Wellness & Chiropractic Centers can reasonably infer from the circumstances, based on the exercise of its professional judgment, that you do not object to the use or disclosure.
- (b) If you are not present, Manatee Wellness & Chiropractic Centers will, in the exercise of professional judgment, determine whether the use or disclosure is in your best interests and, if so, disclose only the PHI that is directly relevant to the person's involvement with your care.

## **AUTHORIZATION**

Uses and/or disclosures, other than those described above, will be made only with your written authorization.

## **YOUR RIGHTS**

1. You have the right to:

- (a) Revoke any Authorization and/or Consent, in writing, at any time and to request a revocation, you must submit a written request to the Manatee Wellness & Chiropractic Centers 's COMPLIANCE OFFICER.
- (b) Request restrictions on certain use and/or disclosure of your PHI as provided by law, however, Manatee Wellness & Chiropractic Centers is not obligated to agree to any requested restrictions. To request restrictions, you must submit a written request to Manatee Wellness & Chiropractic Centers 's COMPLIANCE OFFICER. In your written request, you must inform Manatee Wellness & Chiropractic Centers of what information you want to limit, whether you want to limit Manatee Wellness & Chiropractic Centers 's use or disclosure, or both, and to whom you want the limits to apply. If Manatee Wellness & Chiropractic Centers agrees to your request, it will comply with your request unless the information is needed in order to provide you with emergency treatment
- (c) Receive confidential communications or PHI by alternative means or at alternative locations; you must make your request in writing to Manatee Wellness & Chiropractic Centers 's COMPLIANCE OFFICER. Manatee Wellness & Chiropractic Centers will accommodate all reasonable requests.
- (d) Inspect and obtain a copy your PHI as provided by law. To inspect and copy your PHI, you are requested to submit a written request to Manatee Wellness & Chiropractic Centers 's COMPLIANCE OFFICER. Manatee Wellness & Chiropractic Centers can charge you a fee for the cost of copying, mailing or other supplies associated with your request
- (e) Amend your PHI as provided by law. To request an amendment, you must submit a written request to the Manatee Wellness & Chiropractic Centers 's COMPLIANCE OFFICER. You must provide a reason that supports your request. Manatee Wellness & Chiropractic Centers may deny your request if it is not in writing, if you do not provide a reason in support of your request, if the information to be amended was not created by Manatee Wellness & Chiropractic Centers (unless the individual or entity that created the information is no longer available), if the information is not part of your PHI maintained by Manatee Wellness & Chiropractic Centers, if the information is not part of the information you would be permitted to inspect and copy, and/or if the information is accurate and complete. If you disagree with Manatee Wellness & Chiropractic Centers 's denial, you will have the right to submit a written statement of disagreement.
- (f) Receive an accounting of disclosures of your PHI as provided by law. The request should indicate in what form you want the list (such as a paper or electronic copy)
- (g) Receive a paper copy of this Privacy Notice from Manatee Wellness & Chiropractic Centers upon request to its COMPLIANCE OFFICER.
- (h) Complain to the Practice or to the Office of Civil Rights, U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Room 509F, HHH Building, Washington, D.C. 20201, 202/619-0257, email: ocrmail@hhs.gov or to the Florida Attorney General, Office of the Attorney General, PL-01 The Capitol, Tallahassee, FL 32399-1050, 850/414-3300, if you believe your privacy rights have

been violated. To file a complaint with Manatee Wellness & Chiropractic Centers, you must contact the COMPLIANCE OFFICER. All complaints must be in writing.

- (i) To obtain more information on, or have your questions about your rights answered, you may contact Manatee Wellness & Chiropractic Centers 's COMPLIANCE OFFICER, Dr. Amanda Mitchell, at (941) 756-4362 or via email at amandamitchelldc@gmail.com.

## **PRACTICE'S REQUIREMENTS**

### **1. The Practice:**

- (a) Is required by federal law to maintain the privacy of your PHI and to provide you with this Privacy Notice detailing the Practice's legal duties and privacy practices with respect to your PHI.
- (b) Is required by State law to maintain a higher level of confidentiality with respect to certain portions of your medical information that is provided for under federal law. In particular, the Practice is required to comply with the following State statutes: Section 381.004 relating to HIV testing, Chapter 384 relating to sexually transmitted diseases and Section 456.057 relating to patient records ownership, control and disclosure.
- (c) Is required to abide by the terms of this Privacy Notice.
- (d) Reserves the right to change the terms of this Privacy Notice and to make the new Privacy Notice provisions effective for all of your PHI that it maintains.
- (e) Will distribute any revised Privacy Notice to you prior to implementation.
- (f) Will not retaliate against you for filing a complaint.

## **QUESTIONS AND COMPLAINTS**

You may file a complaint with the COMPLIANCE OFFICER if you believe that your privacy rights have been violated relating to release of your protected health information. You may, also, submit a complaint to the Department of Health and Human Services the address of which will be provided to you by the COMPLIANCE OFFICER. We will not retaliate against you in any way if you file a complaint.