

## Privacy Notice

### **Hudson Pediatric Dental, P.C.**

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This notice describes how health information about you may be used and disclosed and how you may access your health information. Please review it carefully. If you have any questions about this Privacy Notice please contact Hudson Pediatric Dental.

### **1. Scope**

- 1.1. Hudson Pediatric Dental (“HPD”)** is committed to protecting medical information about you and your health, including demographic information, which may identify you and that relates to health care services (“**Protected Health Information**” or “**PHI**”). This Notice describes how HPD may use and disclose your PHI to carry out treatment, payment or health care operations and for other purposes that are permitted or required by law and your rights to access and modify your PHI. HPD is bound by the Health Insurance Portability and Accountability Act (“**HIPAA**”) and those requirements as set forth by the Secretary of the Department of Health and Human Services (the “**Secretary**”), as may be modified or adopted from time to time.
- 1.2. Government Surveillance.** Foreign and domestic government agencies are known to intercept electronic communications and hack into computer networks and devices. HPD communicates with you over networks that may be compromised by sophisticated governmental entities. HPD recommends that you avoid sending highly confidential PHI over unencrypted channels, such as email. Online registration forms are collected over encrypted channels that comply with HIPAA.

### **2. Use and Disclosures**

- 2.1. Limit on Use of PHI.** HPD will not use or disclose your PHI for any purpose other than those identified in this Privacy Notice without your specific, written authorization.
- 2.2. Web Surfing:** Our web site uses "cookies" to maintain usage information from our online visitors. You may disable your cookie information by adjusting the preferences in your browser on your personal computer at any time. Cookies are used to identify a specific computer and not to collect any PHI. Web sites may read and write cookies for marketing and statistical purposes. We recommend that you clean your cookies periodically and increase your security settings on your browser.
- 2.3. Treatment, Payment and Health Care Operations.** HPD may use and disclose PHI for the following purposes:
  - 2.3.1. Treatment:** To provide, coordinate, or manage your health care and related services, such as disclosing PHI to other healthcare professionals involved in your care. For example: PHI may convey records to other medical professionals for referrals; call in prescriptions to your pharmacy; and order lab work.
  - 2.3.2. Payment:** To collect payment from you, from your insurance company or from a third party. For example, to obtain prior approval of a particular treatment, or to substantiate services rendered.
  - 2.3.3. General Practice Operations and Training:** To improve the quality of care that the patient receives, to train and evaluate new or current staff. For example, to evaluate our staff and to help us evaluate new treatments or services.
  - 2.3.4. Appointment Reminders:** To contact you as a reminder that you have an appointment.
  - 2.3.5. Treatment Alternatives and Health-Related Products and Services:** To recommend treatment alternatives or other health-related benefits and services that may be of interest to you. For example, HPD may send you information about products or services that may be beneficial to you.
- 2.4. Legal, Public Health and Educational Purposes:** HPD may use or disclose PHI without your permission for the following purposes:
  - 2.4.1. Required By Law or Legal Process:** HPD will disclose PHI about you when required to do so by federal, state or local law, subpoena, or other legal process.
  - 2.4.2. Public Health and Safety:** HPD may disclose PHI about you for public health activities, including disclosures: a) to prevent or control disease, injury or disability; b) to report births and deaths; c) to report abuse or neglect; d) to prevent or lessen a serious and imminent threat to the health and safety of the patient or the public; e) to the Food and Drug Administration (“**FDA**”) for activities related to FDA-regulated products or services and to report reactions to medications or problems with products; e) to notify a person

who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition.

- 2.4.3. Victims of Abuse, Neglect or Domestic Violence:** HPD may disclose PHI about you to a government authority, including a social service or protective services agency, authorized by law to receive reports of such abuse, neglect, or domestic violence: a) if HPD reasonably believes the patient to be a victim of abuse, neglect, or domestic violence to the extent the disclosure is required by ethical obligations and the disclosure is limited to the required disclosures, or to the extent the disclosure is expressly authorized by statute or regulation.
- 2.4.4. Health Oversight:** HPD may disclose PHI to a health oversight agency for audits, investigations, inspections or licensing purposes. These disclosures may be necessary for certain state and federal agencies to monitor the health care system, government programs and compliance with civil rights laws or other legal or regulatory requirements.
- 2.4.5. Lawsuits and Disputes:** If you are involved in a lawsuit or a dispute, HPD may disclose PHI in response to a court or administrative order. HPD may disclose your PHI as necessary to defend HPD in any legal proceeding, claim or dispute brought by you or a third party if HPD becomes involved in the legal proceeding.
- 2.4.6. Law Enforcement:** HPD may release PHI: a) if requested by a law enforcement official: a) in response to a court order, subpoena, warrant, summons or similar process; b) to identify or locate a suspect, fugitive, material witness, or missing person; c) about the victim of a crime under limited circumstances; d) about a death HPD believes may be the result of criminal conduct; e) in emergency circumstances, to report a crime, the location thereof the victims, or the identity, description or location of the perpetrator.
- 2.4.7. Coroners, Medical Examiners and Funeral Directors:** HPD may release PHI to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. HPD may release information to a funeral director, as necessary to carry out their duties with respect to the decedent.
- 2.4.8. Organ and Tissue Donation:** If the patient is an organ donor, HPD may release PHI to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate such donation.
- 2.4.9. Research, Education and Statistical Health Reporting:** HPD may use and disclose PHI in a manner that does not expressly or impliedly identify an individual patient for research projects, lectures, and other disclosures on related health matters related. HPD may conduct lectures or research that discusses matters involved in treatment of patients without identifying any specific patients. HPD may use X-rays or test results for educational or research purposes that do not identify any specific patients.
- 2.4.10. Specialized Governmental Functions:** HPD may disclose PHI to authorized governmental agencies for national security activities. HPD may release PHI as required by military authorities relating to members of the applicable military.
- 2.4.11. Workers' Compensation:** HPD may release PHI as necessary to comply with laws relating to workers' compensation or other similar programs.
- 2.4.12. Disaster Recovery Efforts:** When permitted by law, HPD may coordinate uses and disclosures of protected PHI with public entities authorized by law or by charter to assist in disaster relief efforts.
- 2.4.13. Family and Friends:** HPD may disclose PHI to your family members or friends, who are directly relevant to involvement in your care or payment for your care. For example, HPD may disclose PHI to your spouse, partner, parent or child when such individual accompanies you into the exam room during treatment or while treatment is discussed. In situations where you are not capable of giving consent (because you are not present or due to your incapacity or medical emergency), HPD may, using professional judgment, determine that a disclosure to a family member or friend is in your best interest. In that situation, HPD will disclose only PHI relevant to the person's involvement in your care. HPD may also use professional judgment and experience to make reasonable inferences that it is in your best interest to allow another person to act on your behalf to pick up your PHI or records. HPD may disclose your PHI to notify or assist a family member or friend responsible for your care regarding your location or health condition.
- 2.5. HIV/Substance or Alcohol Abuse/Mental Health:** HPD may not disclose HIV, substance or alcohol abuse or mental health information about you without a specific written authorization for any purpose other than payment obligations.

### 3. Your Rights Regarding PHI

- 3.1. **Right to Revoke.** You may revoke your authorization to use or disclose PHI at any time so long as the revocation is in writing with a confirmation of receipt by HPD. If you revoke your authorization, HPD will no longer use or disclose PHI for the reasons covered by your written authorization, except to the extent that HPD has already used or disclosed PHI in reliance on your authorization. HPD is required to retain copies of PHI under New York State law regardless of any revocation.
- 3.2. **Right to Inspect and Copy:** You have the right to inspect and copy your PHI for as long as we maintain that information. You must submit a written request in order to inspect and/or copy your PHI. If you request a copy of your PHI, we may charge a fee for the costs of copying as approved by state law. We may deny your request to inspect and/or copy in certain limited circumstances.
- 3.3. **Right to Correct or Amend:** You have the correct or amend your PHI held by HPD.
- 3.4. **Right to Request Restrictions:** You have the right to request a restriction or limitation on the PHI HPD uses or discloses for treatment and the right to request a limit on who may receive your PHI, such as a family member or friend. To request restrictions you must send a written request to HPD.
- 3.5. **Right to Request Confidential Communications:** You may request that HPD communicate with you in a certain manner to protect your confidentiality, within reasonable limits. For example, you may request that HPD only contact you on a particular phone number. HPD will make every effort to honor reasonable requests about your communication preferences.
- 3.6. **Right to a Paper Copy of This Notice:** You have the right to a paper copy of this Notice at any time, even if you have agreed to receive the Notice electronically.
4. **Notification of Breach.** If HPD determines that there has been a breach of your PHI that releases personally identifiable information about you in a manner not permitted by this Privacy Notice and contrary to New York State law or Federal law - 45 CFR 164 subpart E, which actually compromises the security of your PHI, HPD will notify you in writing no later than sixty calendar days after the discovery of the breach according to the requirements under state or federal law.
5. **Modification.** HPD may change this Privacy Notice at any time by placing a revised copy on the HPD web site and making a copy available in the office to patients. This Privacy Notice supersedes all prior notices or policies and governs all PHI held by HPD including that previously obtained. Each time you are seen at HPD for health care services, HPD will make available a copy of the current Notice in effect.
6. **Complaints.** If you feel your privacy rights may have been violated, you may file a written complaint with HPD.
7. **Practice Requirement.** HPD is required by law to: (1) maintain PHI in a confidential manner; (2) abide by the terms of this Notice; and (3) notify patients of HPD's legal duties and policies with respect to PHI.

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