

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.

A. Introduction:

As part of your health care, we originate and maintain numerous medical, billing, and other related records which contain information identifying you and describing your health history, symptoms, test results, diagnosis, treatment, and any plans for future care. This notice describes how this information may be used and disclosed by the Organization, as well as your rights and the Organization's duties with respect to such information.

B. Your Health Information Rights:

Although all records relating to the treatment you receive at the Organization are the property of the Organization, you have the following rights with respect to your health information:

- the right to request restrictions on certain uses and disclosures of your health information as provided by 45 C.F.R. 164.522. The Organization is not required to agree to any requested restriction.
- the right to obtain a copy of this Notice upon request.
- the right to inspect and obtain a copy of your health information as provided in 45 C.F.R. 164.524.
- the right to amend your health information as provided in 45 C.F.R. 164.526.
- the right to obtain an accounting of disclosures of your health information as provided in 45 C.F.R. 164.528. A Request for Accounting of Disclosures of Health Information must be made on the Organization's form. Copies of these forms are available at the Organization.
- the right to receive confidential communications of your health information as provided in 45 C.F.R. 164.522(b), as applicable.
- the right to receive notifications of breaches of unsecured PHI as provided in 45 C.F.R. 164.520(b)(1)(v)(A).

You may exercise any of these rights by contacting the Organization representative listed below.

C. Organization Responsibilities:

The Organization is required by law to maintain the privacy of your health information and to provide you with a notice as to the Organization's legal duties and privacy practices with respect to your health information. The Organization is also required to abide by the terms of this Notice, as it may be revised from time to time.

The Organization reserves the right to change the terms of this Notice and to make any revisions to the Notice effective for all your health information that the Organization maintains. Should the Organization change the terms of this Notice it will provide you a revised notice as well as post the revised notice in an area accessible to clients.

D. For More Information or to Report a Problem:

If you have questions or would like additional information, or believe your privacy rights have been violated, you can file a complaint with

Susanne Young, Corporate Privacy Officer

compliance@vivantbh.com

or anonymously at <https://vbh.compliancemanager.healthicity.com/report/11311D0F08>

or with the Secretary of the Department of Health and Human Services without fear of retaliation for filing a complaint. All complaints must be in writing.

E. Use and Disclosure of Your Health Information.

As a general rule, the Organization may use or disclose your health information in the following ways:

Treatment: The Organization will use your health information in the provision and coordination of your healthcare. We may disclose all or any portion of your health information to other health care providers who have a legitimate need for such information in your care and continued treatment. The Organization also may disclose your health information to people outside the Organization who may be involved in your medical care after you leave the Organization, such as family members, clergy, and others used to provide services that are part of your care.

Family/Friends: In certain situations, the Organization may release health information about you to a friend or family member who is involved in your medical care, or to someone who helps pay for your care

Payment: The Organization may release health information about you for the purposes of determining coverage, billing, claims management, medical data processing, and reimbursement. Your health information may be released to an insurance company, third party payer or other entity (or their authorized representatives) involved in the payment of your medical bill and may include copies or excerpts of your medical record which are necessary for payment of your account. For example, a bill sent to a third-party payer may include information that identifies you, your diagnosis, and the services and supplies provided to you. If you pay for a service or health care item out-of-pocket in full, you can ask us not to share that information for the purpose of payment or our operations with your health insurer. We will say “yes” unless a law requires us to share that information.

Routine Healthcare Operations: The Organization may use and disclose your health information during routine healthcare operations, including, but not limited to, quality assurance, utilization review, medical review, internal auditing, accreditation, certification, licensing or credentialing activities of the Organization.

Organization Directory: In certain situations, the Organization may use your name and location in the Organization for directory purposes. This information may be provided to people who ask for you by name.

Business Associates: The Organization may disclose certain health information about you to business associates. A business associate is an individual or entity under contract with the Organization to perform or assist the Organization in a function or activity which necessitates the use or disclosure of health information. Examples of business associates, include, but are not limited to, consultants, accountants, lawyers, medical transcriptionist and third-party billing companies. The Organization requires the business associate to protect the confidentiality of your health information.

Marketing: The Organization may disclose certain contact information to a third party to provide marketing materials and information to you.

Regulatory Agencies: The Organization may disclose your health information to a health oversight agency for activities authorized by law, including, but not limited to, licensure, certification, audits, investigations and inspections. These activities are necessary for the government and other health oversight agencies to monitor the healthcare system, government programs, and compliance with civil rights.

Law Enforcement/Litigation: The Organization may disclose your health information for law enforcement purposes as required by law or in response to a valid subpoena or court order.

Public Health: As required by law, the Organization may disclose your health information to public health or legal authorities charged with preventing or controlling disease, injury or disability.

Victims of Abuse: The Organization may disclose your health information to government authorities, such as social services authorities or protective agencies, if the Organization reasonably believes that you are a victim of abuse, neglect, or domestic violence.

Workers Compensation: The Organization may release health information about you for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illnesses.

Required by Law: The Organization will disclose medical information about you when required to do so by law.

Coroners, Medical Examiners, Funeral Directors: In the event of your death, the Organization may release your health information to a coroner or medical examiner. This may be necessary, for example, to determine a cause of death. The Organization may also release your health information to funeral directors as necessary to carry out their duties.

Organ Procurement Organizations: Consistent with applicable law, the Organization may disclose health information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs for the purpose of tissue donation and transplant.

Research: The Organization may disclose your health information to researchers when their research has been approved by an institutional review board that has reviewed the research purpose and established protocols to ensure the privacy of your health information. Before disclosing any of your health information we will verify that the researchers have obtained your consent to participate in the study.

Appointment Reminders/Treatment Alternatives: The Organization may 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.

Food and Drug Administration (FDA): The Organization may disclose to the FDA health information relative to adverse events with respect to food supplements, products, and product defects, or post-marketing surveillance information to enable product recalls, repairs, or replacement.

Avert Threat to Health or Safety: The Organization may disclose your health information if the Organization in good faith believes that disclosure is necessary to prevent serious harm to an individual or the public.

Government Functions: When appropriate, the Organization may disclose health information to serve certain governmental functions. The entities who may receive this information include, but are not limited to the military, intelligence agencies, and correctional institutions.

Fundraising: The Organization may contact you as part of our fundraising efforts.

Other Uses: Any other uses or disclosures of your health information will be made only with your written authorization. You may revoke an authorization, in writing, at any time except to the extent that the Organization has relied on your authorization.

F. **The following uses and disclosures require authorization from you:**

- Most uses and disclosures of psychotherapy notes (where applicable).
- Uses and disclosures of PHI for marketing purposes; and
- Uses and disclosures that constitute the sale of PHI.

G. **Confidentiality of Substance Abuse Treatment Records.**

Federal regulations (42 C.F.R. Part 2) provide special protection for the confidentiality of certain alcohol and drug abuse treatment records. To the extent that the Organization maintains any records or other health information about you that is protected from disclosure by these regulations, the Organization will only disclose such information as permitted by these regulations.

Substance use disorder treatment records received from programs subject to 42 CFR part 2, or testimony relaying the content of such records, shall not be used or disclosed in civil, criminal, administrative, or legislative proceedings against the individual unless based on written consent, or a court order after notice and an opportunity to be heard is provided to the individual or the holder of the record, as provided in 42 CFR part 2. A court order authorizing use or disclosure must be accompanied by a subpoena or other legal requirement compelling disclosure before the requested record is used or disclosed.

H. **Mental Health Care Treatment Records.**

State law and/or regulations may provide special protection for mental health care treatment records. To the extent that the Organization maintains any records or other health information about you that is protected from disclosure by such state law and/or regulations, the Organization will only disclose such information as permitted by state law and/or regulations.

If you have questions or would like additional information, or believe your privacy rights have been violated, you can file a complaint with:

compliance@vivantbh.com

or anonymously at:

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