

**Notice of Privacy Practices for Protected Health Information, page 1 of 2** Effective date: May 2011

*This Notice describes how medical information about you may be used and disclosed and how you can get access to this information. Please review this notice carefully!*

The Practice of Front Range Center for Brain and Spine Surgery is required by applicable federal and state laws to maintain the privacy of your health information. Protected health information (PHI) is the information we create and maintain in providing our services to you. Such information may include documentation of your symptoms, examination and test results, diagnoses, and treatment protocols. It also may include billing documents for those services. We are permitted by federal privacy law, the Health Insurance Portability & Accountability Act of 1996 (HIPAA), to use and disclose your PHI for the purposes of treatment, payment, and health care operations without your written authorization.

**Examples of Uses of Your Health Information****Example of a Use of Your Health Information for Treatment Purposes**

Our nurse obtains treatment information about you and records it in a health record.

During the course of your treatment, the physician determines he will need to consult with a specialist in another area. He will share the information with the specialist and obtain his/her input.

We may contact you by phone, at your home, if we need to speak to you about a medical condition, or to remind you of medical appointments.

**Example of a Use of Your Health Information for Payment Purposes**

We submit requests for payment to your health insurance company; the health insurance company requests information from us regarding medical care provided to you, which we will provide to them. We may also disclose information to our business associates who are obligated, under contract with us, to protect the privacy of your information.

**Example of a Use of Your Information for Health Care Operations**

We may use or disclose your PHI in order to conduct certain business and operational activities such as quality assessment activities, to review employee activities, or to assist in the training of students.

**Military and Veterans**

If you are a member of the American armed forces or a foreign military force, we may disclose PHI as required by the appropriate military command authorities.

**Lawsuits and Disputes**

If you are involved in a lawsuit or dispute, we may disclose PHI in response to a court or administrative order, subpoena, discovery request, or other legal process. We may also use or disclose PHI to defend ourselves in a lawsuit.

**Other Examples**

We may use or disclose your PHI to remind you about an appointment or provide you with information about treatment alternatives or other health-related benefits and services that may be of interest to you. • We may provide legally required notices of unauthorized access to or disclosure of your health information.

Other uses and disclosure of your PHI will only be made with your authorization, unless otherwise permitted or required by law, as described below.

**Your Health Information Rights**

*The health and billing records we maintain are the physical property of the office. The information in them, however, belongs to you. You have a right to:*

- Request a restriction on certain uses and disclosures of your health information. We are not required to grant the request, but we will comply with any request that we agree to grant.
- Request that we contact you by mail at a specific address or call you only at a certain phone number. You must make any such request in writing. We will accommodate all reasonable requests and not ask you the reason for your request for privacy.
- Obtain a paper copy of the current Notice of Privacy Practices for Protected Health Information (“the Notice”) by making a request at our office.
- Request that you be allowed to inspect and copy your health record and billing record. We have up to 30 days to make

the information available to you, and may charge you a reasonable fee for costs related to copying and mailing. We may not charge a fee if the request is related to a claim for benefits under the Social Security act or any other state or federal needs-based benefits program.

- Request a summary (rather than the entire record) or an explanation of your PHI if you agree to this alternative form and pay the associated fees.
- Appeal a denial of access to your protected health information, except in certain circumstances.
- Request that your health care record be amended to correct incomplete or incorrect information by delivering a request, in writing, to the privacy officer listed at the end of this section. We may deny your request if you ask us to amend information that either was not created by us (unless the person or entity that created the information is no longer available to make the amendment), is not part of the health information kept by the office, is not part of the information that you would be permitted to inspect and copy, or is accurate and complete. If your request is denied, you will be informed of the reason for the denial and will have an opportunity to submit a statement of disagreement to be placed in your record.
- Request that your health information be made available by alternative means or at an alternative location by delivering the request in writing to our office. We will make every effort to provide access to your PHI in the form or format you request, or in a standard electronic format or printed hard copy—at a reasonable fee—if the information is not readily producible as requested.
- **Restrict information going to your health plan about an item or service for which you pay the Practice out-of-pocket and in full for the item or service.**
- Obtain an accounting of disclosures of your health information as required to be maintained by law. An accounting will not include uses and disclosures of information for treatment, payment, or operations; disclosures or uses made to you or made at your request; uses or disclosures made pursuant to an authorization signed by you; uses or disclosures made in a facility directory or to family members or friends relevant to that person’s involvement in your care or in payment for such care; or, uses or disclosures to notify family or others responsible for your care of your location, condition, or your death.
- Your written authorization is required for most uses and disclosures of psychotherapy notes, or uses and disclosures of PHI for marketing purposes or the sale of your protected information.
- Revoke authorizations that you made previously to use or disclose information by delivering a written revocation to our office (except to the extent action has already been taken based on a previous authorization).

*If you would like to exercise any of the above rights, please contact Nancy Timmons, Privacy Officer, in writing at 1313 Riverside Ave., Ft. Collins, CO, 80524, or at (970) 493-1292 during regular business hours. The Privacy Officer will inform you of the steps needed to exercise your rights under HIPAA.*

**Our Responsibilities**

The office is required to:

- Maintain the privacy of your health information as required by law.
- Provide you with a notice (“Notice”) as to our duties and privacy practices regarding the information we collect and maintain about you, and notify you of a breach of your unsecured PHI.
- Abide by the terms of this Notice.
- Notify you if we cannot accommodate a requested restriction or request.
- Accommodate your reasonable requests regarding methods to communicate health information with you and not disclose PHI to your health plan if you request that we do not, and pay for the item/service out-of-pocket and in full. You must request this Patient Right in writing.

We reserve the right to amend, change, or eliminate provisions in our privacy practices and to enact new provisions regarding the PHI we maintain. If our information practices change, we will amend our Notice. You are entitled to receive a revised copy of the Notice by calling and requesting a copy, visiting our website, or by visiting our office and picking up a copy. *Continued on other side*

**Notice of Privacy Practices for Protected Health Information, page 2 of 2** Effective date: May 2011**To Request Information or File a Complaint**

If you have questions, would like additional information, or would like to report a problem regarding the handling of your information, you may contact the Privacy Officer. If you believe your privacy rights have been violated, you may file a complaint by delivering it *in writing* to the Practice's Privacy Officer. • You may also file a complaint with the Secretary of Health and Human Services, Office for Civil Rights (OCR). The address for the Colorado regional office is: Office for Civil Rights, U.S. Department of Health and Human Services, 999-18th Street, Suite 417, Denver, CO 80202; or call (800) 368-1019. Information regarding the steps to file a complaint with the OCR can also be found at: [www.hhs.gov/ocr/privacy/hipaa/complaints](http://www.hhs.gov/ocr/privacy/hipaa/complaints).

We cannot, and will not, require you to waive the right to file a complaint with the Secretary of Health and Human Services (HHS) as a condition of receiving treatment from the office.

We cannot, and will not, retaliate against you for filing a complaint with the Secretary of Health and Human Services.

**Other Uses and Disclosures of your PHI****Communication with Family**

Using our best judgment, we may disclose to a family member, other relative, close personal friend, or any other person you identify, health information relevant to that person's involvement in your care or in payment for such care if you do not object, or in an emergency. We may also do this after your death, unless you tell us before you die that you do not wish us to communicate with certain individuals.

**Notification**

Unless you object, we may use or disclose your protected health information to notify, or assist in notifying, a family member, personal representative, or other person responsible for your care, about your location, and about your general condition, or your death.

**Research**

We may disclose information to researchers when their research has been approved by an institutional review board that has reviewed the research proposal and established protocols to ensure the privacy of your protected health information.

**Disaster Relief**

We may use and disclose your protected health information to assist in disaster relief efforts.

**Organ Procurement Organizations**

Consistent with applicable law, we may disclose your PHI to organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of organs for the purpose of tissue donation/transplant.

**Food and Drug Administration (FDA)**

We may disclose to the FDA your PHI relating to adverse events with respect to food, supplements, products and product defects, or post-marketing surveillance information to enable product recalls, repairs, or replacements.

**Workers' Compensation**

If you are seeking compensation through Workers Compensation, we may disclose your PHI to the extent necessary to comply with laws relating to Workers Compensation.

**Employers**

We may release health information about you to your employer if we provide health care services to you at the request of your employer, and the health care services are provided either to conduct an evaluation relating to medical surveillance of the workplace or to evaluate whether you have a work-related illness or injury. In such circumstances, we will give you written notice of the release of information to your employer. Any other disclosures to your employer will be made only if you execute a specific authorization for the release of information to your employer.

**Public Health**

As authorized by law, we may disclose your PHI to public health or legal authorities charged with preventing or controlling disease, injury, or disability; to report reactions to medications or problems with products; to notify people of recalls; and to notify a person who may have been exposed to a disease or who is at risk for contracting or spreading a disease or condition.

**Abuse & Neglect**

We may disclose your PHI to public authorities as allowed by law to report abuse or neglect.

**Law Enforcement**

We may disclose your PHI to law enforcement officials (a) in response to a court order, court subpoena, warrant or similar judicial process; (b) to identify or locate a suspect, fugitive, material witness, or missing person; (c) if you are a victim of a crime and we are unable to obtain your agreement; (d) about criminal conduct on our premises; and (e) in other limited emergency circumstances in which we need to report a crime.

**Health Oversight**

Federal law allows us to release your PHI to appropriate health oversight agencies or for health oversight activities. These oversight activities include audits, investigations, inspections, licensure, and similar activities that are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.

**Judicial/Administrative Proceedings**

We may disclose your protected health information in the course of any judicial or administrative proceeding as allowed or required by law, with your authorization, or as directed by a proper court order.

**Serious Threat**

To avert a serious threat to health or safety, we may disclose your protected health information consistent with applicable law to prevent or lessen a serious, imminent threat to the health or safety of a person or the public.

**For Specialized Governmental Functions**

We may disclose your protected health information for specialized government functions as authorized by law such as to Armed Forces personnel, for national security purposes, or to public assistance program personnel.

**Correctional Institutions**

If you are an inmate of a correctional institution, we may disclose to the institution or its agents the protected health information necessary for your health and the health and safety of other individuals.

**Coroners, Medical Examiners, and Funeral Directors**

We may release health information to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. We may also release health information about patients to funeral directors as necessary for them to carry out their duties.

**Other Uses**

Other uses and disclosures, besides those identified in this Notice, will be made only as otherwise required by law or with your written authorization. You may revoke any authorization at any time, as previously provided in this Notice under "Your Health Information Rights."

**Website**

This Notice is available on our website: [brain-spine.com](http://brain-spine.com)

**Patient Signature****Acknowledgement of Receipt of Notice of Privacy Practices:**

I acknowledge that I have been provided with a copy of the *Notice of Privacy Practices* from the Front Range Center for Brain and Spine Surgery.

\_\_\_\_\_  
Patient Signature, or that of Patient Representative\*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Patient Name

*\*If Patient Representative, legal documentation must be included designating authority to sign or receive information. This form must be maintained for six years.*

**For Practice Use Only**

We attempted to obtain written acknowledgement of receipt of our *Notice of Privacy Practices*, but acknowledgement could not be obtained because:

- Individual refused to sign  
 Communications barriers prohibited obtaining the acknowledgement  
 An emergency situation prevented us from obtaining acknowledgement  
 Other (Please Specify) \_\_\_\_\_