



Jessamine County Government
Division of Emergency Services
www.jcems911.com

NOTICE OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW YOUR HEALTH INFORMATION MAY BE USED AND DISCLOSED AND YOUR RIGHTS WITH RESPECT TO YOUR HEALTH INFORMATION. PLEASE REVIEW IT CAREFULLY.

Ambulance Service is required by law to maintain the privacy of your health information and to provide you with notice of the Ambulance Service's legal duties and privacy practices with respect to your health information. Under certain circumstances, the Ambulance Service may be required to notify patients regarding a breach of unsecured protected health information. The Ambulance Service is required to abide by the terms set forth in this notice. We reserve the right to change this notice and to make the changed notice effective for medical information we already have about you as well as any information we receive in the future. We will provide a revised copy of this notice to you upon your request.

I. HOW THE AMBULANCE SERVICE MAY USE & DISCLOSE YOUR MEDICAL INFORMATION

The Ambulance Service may use your health information for the purposes of providing medical treatment, obtaining payment for services rendered, and/or administering health care operations, as well as for the purposes set forth in this notice or otherwise as authorized or required by law. The Ambulance Service will restrict access to your health information to persons who are directly involved in those functions. All other uses and disclosures of your health information will not be made without your authorization, which you may revoke by providing the Ambulance Service with a written notice. The law also requires your written authorization before we may use or disclose: (a) psychotherapy notes, other than for our treatment, payment or healthcare operations purposes, (b) any PHI for our marketing purposes or (c) any PHI as part of sale of PHI. Some examples of how the Ambulance Service may use and disclose your health information are:

A. Uses and Disclosures For Treatment: For example, a paramedic who is directly involved in your treatment, must and shall be allowed access to your health information as well as be permitted to share it with another paramedic, a medical director or the Ambulance Service personnel who participates in your treatment. We may use and disclose medical information about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat.

B. Uses and Disclosures For Payment: For example, we may give your health plan, or other payer, your medical information in order to identify the treatment, bill for services or receive payment. We also may disclose your health information to another covered entity or a health care provider for their payment activities.

C. Uses and Disclosures For Health Care Operations: These types of uses and disclosures of your health information are necessary to run the ambulance company and make sure that all of our Patients receive quality services. For example, we may use medical information about you to review our treatment procedures and to evaluate the performance of our staff. We may also disclose your health information to another health care provider for its health care operations, provided they have or had a direct relationship in your care, and to government regulators.

D. Other Permitted Uses and Disclosures without Authorization: This Ambulance Service is also permitted to use or disclose your PHI without your written authorization in situations that includes the following:

- For the treatment activities of another healthcare provider;
- To another healthcare provider or entity for the payment activities of the provider or entity that receives the information (such as your hospital or insurance company);

- To another healthcare provider (such as the hospital to which you are transported) for the healthcare operations activities of the entity that receives the information as long as the entity receiving the information has or has had a relationship with you and the PHI pertains to that relationship;
- For healthcare fraud and abuse detection or for activities related to compliance with the law;
- To a family member, other relative, or close personal friend or other individual involved in your care if we obtain your verbal agreement to do so or if we give you an opportunity to object to such a disclosure and you do not raise an objection. We may also disclose health information to your family, relatives, or friends if we infer from the circumstances that you would not object. For example, we may assume that you agree to our disclosure of your personal health information to your spouse when your spouse has called the ambulance for you. In situations where you are incapable of objecting (because you are not present or due to your incapacity or medical emergency), we may, in our professional judgment, determine that a disclosure to your family member, relative, or friend is in your best interest. In that situation, we will disclose only health information relevant to that person's involvement in your care. For example, we may inform the person who accompanied you in the ambulance that you have certain symptoms and we may give that person an update on your vital signs and treatment that is being administered by our ambulance crew;
- To a public health authority in certain situations (such as reporting a birth, death or disease, as required by law), as part of a public health investigation, to report child or adult abuse, neglect or domestic violence, to report adverse events such as product defects, or to notify a person about exposure to a possible communicable disease, as required by law;
- For health oversight activities including audits or government investigations, inspections, disciplinary proceedings, and other administrative or judicial actions undertaken by the government (or their contractors) by law to oversee the healthcare system;
- For judicial and administrative proceedings, as required by a court or administrative order, or in some cases in response to a subpoena or other legal process;
- For law enforcement activities in limited situations, such as when there is a warrant for the request, or when the information is needed to locate a suspect or stop a crime;
- For military, national defense and security and other special government functions;
- To avert a serious threat to the health and safety of a person or the public at large;
- For workers' compensation purposes, and in compliance with workers' compensation laws;
- To coroners, medical examiners, and funeral directors for identifying a deceased person, determining cause of death, or carrying on their duties as authorized by law;
- If you are an organ donor, we may release health information to organizations that handle organ procurement or organ, eye or tissue transplantation, or to an organ donation bank, as necessary to facilitate organ donation and transplantation; and
- For research projects, but this will be subject to strict oversight and approvals and health information will be released only when there is a minimal risk to your privacy and adequate safeguards are in place in accordance with the law.

Other Permitted Uses and Disclosures with Authorization: The Ambulance Service may use or disclose your health information, provided you have an opportunity to agree, prohibit or restrict the use or disclosure, to a family member, other relative, a close personal friend, or anyone identified by you, who is involved in your medical care or payment for your care. If you do not have the opportunity to agree or object to such use or disclosure because you are not present or because of your incapacity or emergency circumstances, the Ambulance Service may, in the exercise of professional judgment and its experience with common practice, determine whether the disclosure is in your best interest and, if so, disclose health information that is directly relevant to that person's involvement with your care.

II. Your Rights with Respect to Your Health Information

A. Your Right to Inspect and Copy: You have the right to inspect and copy your health information that may be used to make decisions about your care. If you are a parent or legal guardian of a Patient, you may also obtain a copy of the health care information of your non-emancipated child(ren), except where prohibited by law for specific health care services. Requests for copies of your health information must be made in writing to the Ambulance Service's Business Office at the address in paragraph "H" of this Notice. Such requests must be made on the Ambulance Service's "Medical Authorization" release form, which may be obtained

from the Business Office. Requests must include the notarized signature of the Patient, or the Patient's parent or legal guardian in the event that the Patient is a non-emancipated minor.

We may deny your request to inspect and copy in limited circumstances. If you are denied access to medical information, you may request that the denial be reviewed. The person conducting the review will not be the person who denied your request. We will comply with the outcome of the review.

B. Your Right to Request Amendments: If you feel that medical information about you is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by or for the Ambulance Service. To request an amendment, your request must be made in writing and submitted to the Business Office. You must provide a reason that supports your request.

We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that: (a) was not created by the Ambulance Service, unless the person or entity that created the information is no longer available to make the amendment; (b) is not part of the medical information kept by or for the Ambulance Service; (c) is not part of the information that you would be permitted to inspect and copy; or (d) is accurate and complete.

C. Your Right to Request Restrictions: You have the right to request a restriction or limitation on the medical information we use or disclose about you. We are not required to agree to your request. If we do agree, we will comply with your request unless the information is needed to provide you with emergency treatment. We must, however, agree to a restriction on the use or disclosure of your PHI if: (a) the disclosure is for our payment or healthcare operations purposes and (b) if you or another person acting on your behalf has paid for our services in full. To request restrictions, you must make your request in writing to the Business Office. Such requests must include the information you want to limit; whether you want to limit our use, disclosure, or both; and the person(s) to whom you want these limits to apply (e.g., disclosures to your family).

D. Your Right to Request Confidential Communications: You have the right to request that we communicate with you regarding medical matters in a certain way or at a certain location. For example, you can ask that we only contact you at work or by mail. To request confidential communications, you must make your request in writing to the Business Office. We will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

E. Your Right to an Accounting of Disclosures: You have the right to request a list of the disclosures we made of your health information for purposes other than treatment, payment or health care operations. To request a list of disclosures, you must submit your request in writing to the Business Office. Your request must state a time period not longer than six years prior to your request. Your request should indicate in what form you want the list. The first list you request within a twelve (12) month period will be free. For additional lists, we may charge you for the costs of providing the list. We will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred.

F. Internet, Email and the Right to Obtain Copy of Paper Notice: If we maintain a web site, we will prominently post a copy of this Notice on our web site and make the Notice available electronically through the web site. If you allow us, we will forward you this Notice by electronic mail instead of on paper and you may always request a paper copy of the Notice.

G. Revisions to the Notice: The Ambulance Service is required to abide by the terms of the version of this Notice currently in effect. However, The Ambulance Service reserves the right to change the terms of this Notice at any time, and the changes will be effective immediately and will apply to all PHI that we maintain. Any material changes to the Notice will be promptly posted in our facilities and on our web site, if we maintain one. You can get a copy of the latest version of this Notice by contacting Compliance Officer, our HIPAA Compliance Officer.

H. Your Legal Rights and Complaints: You also have the right to complain to us, or to the Secretary of the United States Department of Health and Human Services, if you believe that your privacy rights have been violated. You will not be retaliated against in any way for filing a complaint with us or to the government. Should you have any questions, comments or complaints,

you may direct all inquiries to Compliance Officer, our HIPAA Compliance Officer. Individuals will not be retaliated against for filing a complaint.

I. Your Right to a Paper Copy of This Notice: You may ask us to give you a copy of this notice at any time. Even if you agreed to receive this notice in electronic form, you may receive a paper copy upon request. To obtain a paper copy of this notice, you must submit your request in writing to the Ambulance Service's Business Office.

J. Complaints: If you believe your privacy rights have been violated, you have the right to file a complaint with the Ambulance Service and with the Secretary of Health and Human Services. To file a complaint with the Ambulance Service, send it in writing to Jessamine County EMS, 101 South 2nd St., Suite B, Nicholasville, KY 40356; Attn: Privacy Officer. All complaints must be received in writing. The Ambulance Service does not have a process in place for verbal complaints. You will not be penalized or discriminated against for filing a complaint.

K. Designated Privacy Officer: Requests for further information should be addressed to Jessamine County EMS, 101 South 2nd St., Suite B, Nicholasville, KY 40356; Attn: Privacy Officer.