

Notice of Privacy Practices
Coastal Eye Specialists Medical Group, Inc
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Privacy Officer: Lisa Lopez
Effective Date: March 1, 2003
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**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.**

We understand the importance of privacy and are committed to maintaining the confidentiality of your medical information. We make a record of the medical care we provide and may receive such records from others. We use these records to provide or enable other health care providers to provide medical care, to obtain payment for services provided to you as allowed by your health plan, and to enable us to meet our professional and legal obligations to operate this medical practice properly. We are required by law to maintain the privacy of protected health information and to provide individuals with notice of our legal duties and privacy practices with respect to protected health information. This notice describes how we may use and disclose your medical information. It also describes your rights and our legal obligations with respect to your medical information. If you have any questions about this Notice, please contact our Privacy Officer listed above.

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A. How This Medical Practice May Use or Disclose Your Health Information

This medical practice collects health information about you and stores it in a chart and on a computer. This is your medical record. The medical record is the property of this medical practice, but the information in the medical record belongs to you. The law permits us to use or disclose your health information for the following purposes:

1. **Treatment:** We use medical information about you to provide your medical care. We disclose medical information to our employees and others who are involved in providing the care you need. For example, we may share your medical information with other physicians or other health care providers who will provide services which we do not provide. We may also share this information with a pharmacist who needs it to dispense a prescription to you, or a laboratory that performs a test, or a supplier that makes glasses, contact lenses, or other supplies. We may obtain medical information about you from other providers, including other physicians, hospitals, pharmacies, imaging centers, and laboratories. Such medical information may be disclosed or obtained in paper, facsimile, or electronic format. While you are in the office, we may discuss aspects of your medical care with you or with others involved in your care that could disclose medical information to others who are within hearing range. We will take all reasonable precautions to prevent such inadvertent disclosure, but certain areas of the practice, such as the reception desk, screening area, hallways, and optical dispensary are by nature open to others. We may also disclose medical information to members of your family or others who can help you when you are sick or injured.
2. **Payment:** We use and disclose medical information about you to obtain payment for the services we provide. For example, we give your health plan the information it requires before it will pay us. We may also disclose information to other health care providers to assist them in obtaining payment for services they have provided to you.
3. **Health care operations:** We may use and disclose medical information about you to operate this medical practice. For example, we may use and disclose this information to review and improve the quality of care we provide, or the competence and qualifications of our professional staff. We may use and disclose this information to get your health plan to authorize services or referrals. We may also use and disclose this information as necessary for medical reviews, legal services and audits, including fraud and abuse detection and compliance programs, and business planning and management. We may also share your medical information with our "business associates," such as a billing service, that perform administrative services for us. We have a written contract with each of these business associates that contains terms requiring them to protect the confidentiality of your medical information. Although federal law does not protect health information which is disclosed to someone other than another healthcare provider, health plan or healthcare clearinghouse, under California law all recipients of health care information are prohibited from re-disclosing it except as specifically required or permitted by law. We may also share your information with other health care providers, health care clearinghouses or health plans that have a relationship with you, when they request this information to help them with their quality assessment and improvement activities, their efforts to improve health or reduce health care costs, their review of competence, qualifications and performance of health care professionals, their training programs, their accreditation, certification or licensing activities, or their health care fraud and abuse detection and compliance efforts.
4. **Appointment reminders:** We may use and disclose medical information to contact and remind you about appointments. Unless specifically requested otherwise, if you are not home, we may leave this information on your answering machine or in a message left with the person answering the phone.
5. **Sign in sheet and announcement:** We may use and disclose medical information about you by having you sign in when you arrive at our office. We may also call out your name when we are ready to see you.
6. **Notification and communication with family:** We may disclose your health information to notify or assist in notifying a family member, your personal representative or another person responsible for your care about your location, your general condition, or in the event of your death. In the event of a disaster, we may disclose information to a relief organization so that they may coordinate these notification efforts. We may also disclose information to someone who is involved with your care or helps pay for your care. If you are able and available to agree or object, we will give you the opportunity to object prior to making these disclosures, although we may disclose this information in a disaster even over your objection if we believe it is necessary to respond to the emergency circumstances. If you are unable or unavailable to agree or object, our health professionals will use their best judgment in communication with your family and others. In the event of your death, physicians are now allowed to make disclosures to the deceased's family and friends under essentially the same circumstances such disclosures were permitted when the patient was alive, that is, when these individuals were involved in providing care or payment for care and the physician is unaware of any expressed preference to the contrary. As of September 23, 2013 HIPAA protection for PHI 50 years after a patient's death is now eliminated.
7. **Marketing:** We may contact you to give you information about your eye health and care or about products or services related to your treatment, or to direct or recommend other treatments or health-related benefits and services that may be of interest to you, or to provide you with small promotional gifts. We may also encourage you to purchase a product or service when we see you. We may

maintain a mailing list, containing your name and address, and/or e-mail address, which we may use from time to time to provide you with general information about eye care and our practice. This list will not contain any of your health information, and will not be disclosed or sold to any other entity. If you wish to opt out or be removed from our mailing list, you may submit a request to us in writing. Written communications promoting purchase or use of third party products or services will require your individual authorization.

8. Required by law: As required by law, we will use and disclose your health information, but we will limit our use or disclosure to the relevant requirements of the law. When the law requires us to report abuse, neglect or domestic violence, or respond to judicial or administrative proceedings, or to law enforcement officials, we will further comply with the requirements set forth below concerning those activities.

9. Public health: We may, and are sometimes required by law to, disclose your health information to public health authorities for purposes related to: preventing or controlling disease, injury or disability; reporting child, elder or dependent adult abuse or neglect; reporting domestic violence; reporting to the Food and Drug Administration problems with products and reactions to medications; and reporting disease or infection exposure. When we report suspected elder or dependent adult abuse or domestic violence, we will inform you or your personal representative promptly unless in our best professional judgment, we believe the notification would place you at risk of serious harm or would require informing a personal representative we believe is responsible for the abuse or harm.

10. Health oversight activities: We may, and are sometimes required by law to, disclose your health information to health oversight agencies during the course of audits, investigations, inspections, licensure, hospital peer review, and other proceedings, subject to the limitations imposed by federal and California law.

11. Judicial and administrative proceedings: We may, and are sometimes required by law to, disclose your health information in the course of any administrative or judicial proceeding to the extent expressly authorized by a court or administrative order. We may also disclose information about you in response to a subpoena, discovery request or other lawful process if reasonable efforts have been made to notify you of the request and you have not objected, or if your objections have been resolved by a court or administrative order.

12. Law enforcement: We may, and are sometimes required by law to, disclose your health information to a law enforcement official for purposes such as identifying or locating a suspect, fugitive, material witness or missing person, complying with a court order, warrant, grand jury subpoena and other law enforcement purposes.

13. Coroners: We may, and are often required by law to, disclose your health information to coroners in connection with their investigations of deaths.

14. Organ or tissue donation: We may disclose your health information to organizations involved in procuring, banking or transplanting organs and tissues.

15. Public safety: We may, and are sometimes required by law to, disclose your health information to appropriate persons in order to prevent or lessen a serious and imminent threat to the health or safety of a particular person or the general public.

16. Specialized government functions: We may disclose your health information for military or national security purposes, or to correctional institutions or law enforcement officers that have you in their lawful custody.

17. Workers' compensation: We may disclose your health information as necessary to comply with workers' compensation laws. For example, to the extent your care is covered by workers' compensation, we will make periodic reports to your employer about your condition. We are also required by law to report cases of occupational injury or illness to the employer or workers' compensation insurer.

18. Change of ownership: In the event that this medical practice is sold or merged with another organization, your medical record will become the property of the new owner, although you will maintain the right to request that copies of your record be transferred to another physician or medical group. We may charge a reasonable fee, as allowed by California law, for inspection or copying of your record.

19. Photography and video: During the course of your examination and treatment, photographs or videos may be obtained of you, or of procedures being performed on you. These photographs or videos may be used for purposes of your diagnosis or treatment, or may be used for teaching, education, or peer review. When used for purposes other than your diagnosis or treatment, the images will not be labeled with any identifying information, or contain other readily identifiable images (eg faces or distinctive body features), without your specific consent.

20. Fundraising: There are limited circumstances for CES to use or disclose certain PHI for fundraising without an authorization. We must provide patients with a clear and conspicuous opportunity to opt-out of receiving future fundraising communications.

B. When This Medical Practice May Not Use or Disclose Your Health Information

Except as described in this Notice of Privacy Practices, this medical practice will not use or disclose health information which identifies you without your written authorization. If you do authorize this medical practice to use or disclose your health information for another purpose, you may revoke your authorization in writing at any time.

C. Your Health Information Rights

1. Right to request special privacy protections and restrictions: You have the right to request restrictions on certain uses and disclosures of your health information, by a written request specifying what information you want to limit and what limitations on our use or disclosure of that information you wish to have imposed. You also have the right to request a limit on the Protected Health Information we may disclose to someone involved in your care or the payment for your care. To request a restriction, you must make your request, in writing, to our Privacy Officer. We are not required to agree to your request unless you are asking us to restrict the use and disclosure of your Protected Health Information to a health plan for a service which you have paid us "out of pocket" in full. We will comply with your request unless the information is needed to provide you with emergency treatment.

2. Right to request confidential communications: You have the right to request that you receive your health information in a specific way or at a specific location. We will comply with all reasonable requests submitted in writing which specify how or where you wish to receive these communications.

3. Right to inspect and copy: You have the right to inspect and copy your health information, with limited exceptions. To access your medical information, you must submit a written request detailing what information you want access to and whether you want to inspect it or get a copy of it. We have up to 30 days to make your Protected Health Information available to you and we may charge a reasonable fee, as allowed by California law. We may not charge a fee if you need the information for a claim for benefits under the Social Security Act or any other state of federal needs based benefit program.

4. Right to an Electronic Copy of Electronic Medical Records: If your PHI is maintained in an electronic format, you have a right to request an electronic copy of your record be given to you or transmitted to another individual or entity. We will make every effort to provide access to your PHI in the form or format you request, if it is readily producible in such form or format. If the PHI is not readily producible in the form or format you request, your record will be provided in either our standard electronic format or a readable hard copy within 30 days. We may charge a reasonable fee, as allowed by California law.

5. Right to amend or supplement: You have a right to request that we amend your health information that you believe is incorrect or incomplete. You must make a request to amend your information in writing, and include the reasons you believe the information is inaccurate or incomplete. We are not required to change your health information, and will provide you with information about this medical practice's denial and how you can disagree with the denial. You have the right to request an amendment for as long as the information is kept by or for our office.

6. Right to an accounting of disclosures: You have a right to receive an accounting of disclosures of your health information made by this medical practice, except that this medical practice does not have to account for the disclosures provided to you or pursuant to your written authorization, or as described in paragraphs 1 (treatment), 2 (payment), 3 (health care operations), 6 (notification and communication with family) and 16 (specialized government functions) of Section A of this Notice of Privacy Practices, or disclosures for purposes of research or public health which exclude direct patient identifiers, or which are incident to a use or disclosure otherwise permitted or authorized by law, or to a health oversight agency or law enforcement official to the extent this medical practice has received notice from that agency or official that providing this accounting would be reasonably likely to impede their activities.

7. Right to Get a Notice of Breach: You have the right to be notified upon a breach of any of your unsecured Protected Health Information. We are required to notify you promptly and without delay within 60 calendar days of discovery.

8. Right to paper copy of this notice: You have a right to a paper copy of this Notice of Privacy Practices, even if you have previously requested its receipt by e-mail.

If you would like to have a more detailed explanation of these rights or if you would like to exercise one or more of these rights, contact our Privacy Officer listed at the top of this Notice of Privacy Practices.

D. Changes to This Notice of Privacy Practices

We reserve the right to amend this Notice of Privacy Practices at any time in the future. Until such amendment is made, we are required by law to comply with this Notice. After an amendment is made, the revised Notice of Privacy Protections will apply to all protected health information that we maintain, regardless of when it was created or received. You are entitled to request a copy of any amended Notice of Privacy Practices at any time. We will also post the current Notice on our website.

E. Complaints

Complaints about this Notice of Privacy Practices, or how this medical practice handles your health information, should be directed to our Privacy Officer, listed at the top of this Notice of Privacy Practices.

If you are not satisfied with the manner in which this medical practice handles a complaint, you may submit a formal complaint to:

Department of Health and Human Services
Office of Civil Rights
Hubert H. Humphrey Building
200 Independence Avenue, S.W.
Room 509F
Washington, DC 20201

You will not be penalized for filing a complaint.

**Acknowledgement of Receipt of Notice of Privacy Practices
Coastal Eye Specialists Medical Group, Inc**

I hereby acknowledge that I received a copy of this medical practice's Notice of Privacy Practices. I understand that this Notice will be posted in the reception area and on the practice web site, and that I may request a copy of any amended Notice of Privacy Practices at any time.

Signed: _____

Date: _____

Print name: _____

If not signed by the patient, please indicate relationship:

- parent or guardian of minor patient
- guardian or conservator of an incompetent patient
- beneficiary or personal representative of deceased patient

Name of patient: _____

For office use only: to be completed only if the patient refuses to sign this Acknowledgment:

Efforts to obtain signature: _____

Reason for refusal: _____

Staff signature: _____

Date: _____

Print name: _____