



Hospice of Franklin County, Inc.
Notice of Hospice Privacy Practices

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THIS NOTICE DESCRIBES HOW YOUR PATIENT INFORMATION WILL BE USED AND DISCLOSED. PLEASE REVIEW IT CAREFULLY.

Hospice of Franklin County, Inc. (“Hospice”) may use your health information, information that constitutes protected health information as defined in the Privacy Rule of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996, for purposes of providing you treatment, obtaining payment for your care and conducting health care operations. The Hospice has established policies to guard against unnecessary disclosure of your health information.

The following is a summary of the circumstances under which, and purposes for which, your health information may be used and disclosed:

To provide treatment: Hospice of Franklin County may use your health information to coordinate care within hospice and with others involved in your care, such as your attending physician, members of the hospice interdisciplinary team and other health care professionals who have agreed to assist the hospice in coordinating care. For example, physicians involved in your care will need information about your symptoms in order to prescribe appropriate medications. The hospice may disclose your health care information to individuals outside of hospice involved in your care including family members, clergy who you have designated, pharmacist, suppliers of medical equipment or other health care professionals.

To obtain payment: The hospice may include your health information on invoices to collect payment from third parties for the care you receive from hospice. For example, the hospice may be required by your health insurer to provide information regarding your health care status so that the insurer will reimburse you or the hospice. The hospice also may need to obtain prior approval from your insurer and may need to explain to the insurer your need for hospice care and the services that will be provided to you.

To conduct health care operations: The hospice may use and disclose health information for its own operations in order to facilitate the function of the hospice and as necessary to provide quality care to all of the hospice’s patients. Health care operations include such activities as:

- quality assessment and improvement activities
- activities designed to improve health or reduce health care costs
- protocol development, case management and care coordination
- contacting health care providers and patients with information about treatment alternatives and other related functions that do not include treatment
- professional review and performance evaluation
- training programs including those in which students, trainees or practitioners in health care learn under supervision
- training of non-health care professionals
- accreditation, certification, licensing or credentialing activities
- review and auditing, including compliance reviews, medical reviews, legal services and compliance programs
- business planning, development, and management including cost management and planning related analyses and formulary development
- fundraising for the benefit of the hospice
- mailings or telephone calls related to the Hospice bereavement program with information about support groups, counseling, or memorial events that you or your family may wish to participate in.

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For example, the hospice may use your health information to evaluate its staff performance, combine your health information with other hospice patients in evaluating how to more effectively serve all hospice patients, disclose your health information to hospice staff and contracted personnel for training purposes, use your health information to contact you as a reminder regarding a visit to you, or contact you as part of general fundraising and community information mailing (unless you tell us you do not want to be contacted).

For fundraising activities: The hospice may use information about you including your name, address, phone number, and the dates you received care in order to contact you or your family to raise money for the hospice. Contact the Medical Records Coordinator @ 413-774-2400 if you do not want the hospice to contact you or your family members.

For appointment reminders: The hospice may use and disclose your health information to contact you as a reminder that you have an appointment for a home visit.

When legally required: The hospice will disclose your health information when it is required to do so by any federal, state or local law.

When there are risks to public health: The hospice may disclose your health information for public activities and purposes in order to:

- Prevent or control disease, injury or disability, report disease, injury, vital events such as birth or death and the conduct of public health surveillance, investigation and interventions.
- Report adverse events, product defects, to track products or enable product recalls, repairs and replacements and to conduct post-marketing surveillance and compliance with requirements of the food and drug administration.
- Notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease.
- Notify an employer about an individual who is a member of the workforce as legally required.

Report abuse, neglect or domestic violence: The hospice is allowed to notify government authorities if hospice believes a patient is the victim of abuse, neglect or domestic violence. The hospice will make disclosure only when specifically required or authorized by law or when the patient agrees to the disclosure.

Conduct health oversight activities: The hospice may disclose your health information to a health oversight agency for activities including audits, civil administrative or criminal investigations, inspections, insure or disciplinary action. The hospice, however may not disclose your health information if you are subject of an investigation and your health information is not directly related to your receipt of health or public benefits.

Connection with judicial and administrative proceedings: The hospice may disclose your health information in the course of any judicial or administrative proceeding in response to and order of a court or administrative tribunal as expressly authorized by such order or in response to a subpoena, discovery request other lawful process, but only when the hospice makes reasonable efforts to either notify you about the request or to obtain an order protecting your health information.

Law enforcement purposes: As permitted or required by State law, the hospice may disclose your health information to a law enforcement official for certain law enforcement purposes as follows:

- As required by law for reporting of certain types of wounds or other physical injuries pursuant to the court order, warrant subpoena or summons of similar process
- For the purpose of identifying or locating a suspect, fugitive, material witness or missing person.
- Under certain limited circumstances, when you are the victim of a crime.
- To a law enforcement official if the hospice has a suspicion that your death was the result of a criminal conduct including criminal conduct at the hospice
- In an emergency in order to report a crime

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Coroners and medical examiners: The Hospice may disclose your health information to coroners and medical examiners for purposes of determining your cause of death or for other duties, as authorized by law.

Funeral directors: The hospice may disclose your health information to funeral directors consistent with applicable law and if necessary, to carry out their duties with respect to your funeral arrangements. If necessary to carry out their duties, the Hospice may disclose your health information prior to and in reasonable anticipation of your death.

For organ, eye or tissue donation: The hospice may use or disclose your health information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs, eyes or tissues for the purpose of facilitating the donation and transplantation with respect to any previous donation arrangements you have made.

For research purposes: The hospice may under very select circumstances, use your health information for research. Before the hospice discloses any of your health information for such research purposes, the project will be subject to an extensive approval process. This process includes evaluating a proposed research project and its use of health information and trying to balance the research needs with your need for privacy. Before the Hospice uses or discloses your health information for research, the project will have been approved through this research approval process. When it is necessary for research purposes and so long as the health information does not leave the Hospice, it may disclose your health information to researchers preparing to conduct a research project, for example, to help the researchers look for individuals with specific health needs. Lastly, if certain criteria are met, the Hospice may disclose your health information to researchers after your death when it is necessary for research purposes.

Limited Data Set: The Hospice may use or disclose a limited data set of your health information, that is, a subset of your health information for which all identifying information has been removed, for purposes of research, public health, or health care operations. Prior to our release, any recipient of that limited data set must agree to appropriately safeguard your health information.

In the event of a serious threat to health or safety: The hospice may, consistent with applicable law and ethical standards of conduct, disclose your health information if the hospice, in good faith, believes that such disclosure is necessary to prevent or lessen a serious and imminent threat to your health or safety or to the health and safety of the public.

For specified government functions: In certain circumstances the Federal regulations authorize the Hospice to use or disclose your health information to facilitate specified government functions relating to military and veterans, national security and intelligence activities, protective services for the President and others, medical suitability determinations and inmates and law enforcement custody.

For workers compensation: The Hospice may release your health information for worker's compensation or similar programs.

Authorization to Use or Disclose Health Information

Other than is stated above, the hospice will not disclose your health information other than with your written authorization. If you or your representative authorizes the Hospice to use or disclose your health information, you may revoke that authorization in writing at any time. If you revoke your authorization, the Hospice will no longer use or disclose health information about you for the reasons covered by your written authorization, except to the extent that the Hospice has taken action in reliance thereon. You understand that the Hospice is unable to take back any disclosures it has already made under the authorization, and that the Hospice is required to retain our records of the care that is provided you.

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Your Rights Regarding Your Health Information

You have the following rights regarding your health information that the Hospice maintains. Please contact the appropriate individual noted below via the Hospice office address or main phone number:

Hospice of Franklin County – 329 Conway St., Ste 2 – Greenfield, MA 01301 (413)774-2400

- **Right to request restriction.** You may request restrictions on certain uses and disclosures of your health information. You have the right to request a limit on the Hospice's disclosure of your health information to someone who is involved in your care or the payment of your care. The Hospice is not required to agree with your request unless your request is for a restriction on a disclosure to a health plan for purposes of payment or health care operations (and is not for purposes of treatment) and the medical information you are requesting to be restricted from disclosure pertains solely to a health care item for service for which you have paid out of pocket in full. To request a restriction, contact the **Director of Clinical Services** via the Hospice office.
- **Right to receive confidential communications.** You have the right to request that the Hospice communicate with you in a certain way. For example, you may ask that the hospice only conduct communications pertaining to your health information with you privately with no other family members present. If you wish to receive confidential communications, please contact the **Medical Records Coordinator** via the Hospice office. The Hospice will not request that you provide any reasons for your request and will attempt to honor your reasonable requests for confidential communications.
- **Right to inspect and copy your health information.** You have the right to inspect and copy your health information including billing records. A request to inspect and copy records containing your health information must be made in writing to the **Medical Records Coordinator** via the Hospice office. If you request a copy of your health information, the Hospice may charge you a reasonable fee for copying and assembling costs associated with your request.
- **Right to amend health care information.** You or your representative has the right to request that Hospice amend your records, if you believe that your health information is incorrect or incomplete. That request may be made as long as the information is maintained by the Hospice. A request for an amendment of records must be made in writing to **Medical Records Coordinator** via the Hospice office. The Hospice may deny the request if it is not in writing or does not include a reason for the amendment. The request also may be denied if your health information records were not created by the Hospice, if the records you are requesting are not part of the health information you or your representative are permitted to inspect and copy, or if, in the opinion of the Hospice, the records containing your health information are accurate and complete.
- **Right to an accounting:** You or your representative have the right to request an accounting of disclosures of your health information made by the Hospice for certain reasons, including reasons related to public purposes authorized by law and certain research. The request for an accounting must be made in writing to **Medical Records Coordinator** via the Hospice office. Accounting requests may not be made for periods of time in excess of six (6) years. The Hospice would provide the first accounting you request during any 12-month period without charge. Subsequent accounting requests may be subject to a reasonable cost-based fee.
- **Right to a paper copy of this notice.** You or your representative have a right to a separate paper copy of this Notice at any time even if you or your representative have received this notice previously. To obtain a separate copy, please contact **Medical Records Coordinator** via the Hospice office.

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A copy of the current version of the Hospice's Notice of Privacy Practices is available on our website at www.hospicefc.org or you may obtain a copy from the Hospice Medical Records Coordinator.

Duties of the Hospice

The Hospice is required by law to maintain the privacy of your health information and to provide you and your representative this Notice of its duties and privacy practices. The Hospice is required to abide by the terms of the notice as may be amended from time to time. The Hospice reserves the right to change the terms of its Notice and make the new Notice provisions effective for all health information we already have about you, as well as any health information we receive in the future. If the Hospice changes its Notice, the Hospice will provide a copy of the revised Notice to you or your appointed representative and will post a copy of the current Notice in a clear and prominent location to which you have access. The Notice will contain, at the end of this document, the effective date.

If You Have Any Questions Regarding This Notice

The Hospice has designated the **Medical Records Coordinator** as its contact person for all issues regarding patient privacy and your rights under the Federal privacy standards. You may contact this person at Hospice of Franklin County, 325 Conway St., Ste. 2, Greenfield, MA 01031 or by calling (413) 774-2400.

Complaints

The Hospice encourages you to express any concerns you may have regarding the privacy of your information. You or your personal representative have the right to express complaints to the Hospice and the Secretary of DHHS if you or your representative believe that your privacy rights have been violated. Any complaints should be made in writing to the Director of Clinical Services via the Hospice office. You will not be retaliated against in any way for filing a complaint.

Effective Date

This Notice is effective 2/05
Revised 12/10