
HIPAA Privacy Issues

A federal law, the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), requires that health plans (e.g., medical, dental and medical reimbursement plans) protect the confidentiality of your private health information. A complete description of your rights under HIPAA can be found in the Plan’s Privacy Notice, which is provided to you along with this benefits summary booklet and is also available from Human Resources.

Neither the health plan nor the Employer will use or further disclose information that is protected by HIPAA (“protected health information”) except as necessary for treatment, payment, health plan operations, or as permitted or required by law. By law, the health plan has required all of its business associates to also observe HIPAA’s privacy rules. In particular, the health plan will not, without authorization, use or disclose protected health information for employment-related actions and decisions or in connection with any other benefit or employee benefit plan of the Employer.

Under HIPAA, you have certain rights with respect to your protected health information, including certain rights to see and copy your information, receive an accounting of certain disclosures of your information, have your information sent to an alternative location or by alternative means, and under certain circumstances, amend your information. You also have the right to file a complaint with the health plan or with the Secretary of the U.S. Department of Health and Human Services if you believe your rights under HIPAA have been violated.

The plan maintains a Privacy Notice, provided together with this benefits summary booklet, which provides a complete description of your rights under HIPAA’s privacy rules. For another copy of the Privacy Notice, questions about

the privacy of your health information or if you wish to file a complaint under HIPAA, please contact Human Resources at 617-632-8694, option 4. A copy of the privacy notice for the dental plan is available through Delta Dental.

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.

HPHC-POS/PPO, and the Medical Reimbursement Plan (collectively referred to in this section as the “Health Plans”) use health information about you for treatment, to obtain payment for treatment, for administrative purposes, and to evaluate the quality of care that you receive. Your health information is contained in a medical record that is the physical property of the Health Plan.

How Your Health Information May be Used or Disclosed

For Treatment. The Health Plans may use your health information to provide you with medical treatment or services. For example, information obtained by a health care provider, such as a physician, nurse, or other person providing health services to you, will be recorded as it relates to your treatment. This information is necessary for health care providers to determine what treatment you should receive. Health care providers will also record actions taken by them in the course of your treatment and note how you respond to the actions.

For Payment. The Health Plans may use and disclose your health information to others in order to pay for services that you receive. For example, a bill may be sent to you or a third-party payer, such as an insurance company or health plan. The information on the bill may contain information that identifies you, your diagnosis, and treatment or supplies used

in the course of treatment.

For Health Care Operations. The Health Plans may use and disclose health information about you for operational procedures. For example, your health information may be disclosed to members of the HR Department to:

- evaluate the performance of the Health Plans;
- assess the quality of care and outcomes in your case and similar cases;
- learn how to improve services; and
- determine how to improve the quality and effectiveness of the provided health care.

Required by Law. The Health Plans may use and disclose information about you as required by law. For example, the Health Plans may disclose information for the following purposes:

- for judicial and administrative proceedings pursuant to legal authority;
- to report information related to victims of abuse, neglect or domestic violence; and
- to assist law enforcement officials in their official duties.

Public Health. Your health information may be used or disclosed for public health activities such as assisting public health authorities or other legal authorities to prevent or control disease, injury, or disability, or for other health oversight activities.

Decedents. Health information may be disclosed to funeral directors or coroners to enable them to carry out their lawful duties.

Organ/Tissue Donation. Your health information may be used or disclosed for cadaveric organ, eye or tissue donation purposes.

Research. The Health Plans may use your health information for research purposes when an institutional review board or privacy board has reviewed the research proposal and established protocols to ensure the privacy of your health information.

Health and Safety. Your health information may be disclosed to avert a serious threat to the health or safety of you or any other person pursuant to applicable law.

Government Functions. Specialized government functions, such as protection of public officials or reporting to various branches of the armed services, may require use or disclosure of your health information.

Workers' Compensation. Your health information may be used or disclosed in order to comply with laws and regulations related to workers' compensation.

Your Health Information Rights

You have the right to:

- request a restriction on certain uses and disclosures of your information; however, the Health Plans are not required to agree to a requested restriction;
- obtain a paper copy of the notice of information practices upon request;
- inspect and obtain a copy of your health record;
- amend your health record; however, the Health Plans are not required to agree to the amendment;
- request communications of your health information be sent by alternative means or to alternative locations;
- revoke your authorization to use or disclose health information except to the extent that action has already been taken; and
- receive an accounting of disclosures made of your health information.

