

**Revised 08/20/2013**

**Effective 09/23/2013**

**APPALACHIAN REGIONAL HEALTHCARE, INC. (“ARH”)  
AND ALL ARH SUBSIDIARIES, D/B/As, or other FACILITIES PROVIDING HEALTH CARE  
OR HEALTH CARE-RELATED SERVICES AS PART OF THE ARH ORGANIZED HEALTH  
CARE ARRANGEMENT DEFINED UNDER 45 CFR 164.501, et seq:**

**NOTICE OF PRIVACY PRACTICES**

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED BY OUR FACILITIES AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.**

Appalachian Regional Healthcare, Inc., (“ARH”) is dedicated to protecting your medical information. We are required by law to maintain the privacy of protected health information and to provide you with this Notice of our legal duties and your rights with respect to protected health information. ARH is required by law to abide by the terms of this Notice.

**WHO WILL FOLLOW THIS NOTICE**

All employees, staff, including medical staff and other personnel of Appalachian Regional Healthcare, Inc. will follow these privacy practices.

**HOW YOUR MEDICAL INFORMATION WILL BE USED AND DISCLOSED:**

**Treatment:**

We will use your medical information to provide you with medical treatment or services. For example, your medical information may be used by the doctor, nurse, pharmacists, technicians, medical students, or other personnel who are involved in taking care of you. ARH may also disclose medical information about you to people outside of the hospital who may be involved in your medical care.

**Payment:**

We may use and disclose medical information about you so that we may bill for treatment and services you receive at ARH facilities. For example, we may need to give information about surgery you received to your healthcare plan so that the insurance plan will pay us or reimburse you for your care. We may also share information with your healthcare plan in order to receive approval or to determine if your plan will pay for treatment.

**Healthcare Operations:**

We may use and disclose medical information about you for operation of the Hospital and entities involved in an organized healthcare arrangement. These uses and disclosures are necessary to run our healthcare facilities and to make sure that our patients receive quality care. For example, we may use medical information to review our treatment and services and evaluate the performance of our staff in caring for you or to evaluate services being offered by ARH facilities. We may also disclose information to doctors, nurses, technicians, nursing and medical students and other personnel for review and learning purposes. We may combine medical information with other similar organizations to compare how we are doing and where we can make improvements in the care and services offered. We may remove information that identifies you from this set of medical information so others may use it to study health care without knowing the specific patients information.

We may also use and disclose your information, in accordance with federal and state laws, for the following purposes:

**Appointment Reminders.**

- We may contact you to provide appointment reminders.

**Treatment Alternatives.**

- We may use and disclose medical information to tell you about or recommend possible treatment options or alternatives that may be of interest to you.

**Health-Related Benefits and Services.**

- We may use and disclose medical information to tell you about health-related benefits or services provided through ARH that may be of interest to you.

#### **Fundraising Activities.**

- We may use medical information about you to contact you in an effort to raise money for ARH and its operations. We may disclose medical information to a foundation related to the hospital so that the foundation may contact you in raising money for the hospital. We would only release limited information such as contact information, including your name, address, phone number and the dates you received treatment or services at an ARH facility. Any such communication addressed to you would contain instructions describing how you may “opt out” of receiving these kinds of communications in the future. You do have the right to “opt out” of receiving these fundraising communications.

#### **Facility Directories.**

- Unless you object, we will include your name, your location at the ARH facility where you are receiving treatment, your condition described in general terms, and your religious affiliation, in our directory of individuals. The directory information, except for your religious affiliation, will then be released to people who ask for you by name. Unless you object, religious affiliation may be given to members of the clergy, even if they do not ask for you by name. You may specifically request that we do not include you in the directory when you register.

#### **Family and Friends.**

- Unless you object, we may disclose your medical information to family members, other relatives or close personal friends when the medical information is directly relevant to that person’s involvement with your care. We may release information about you to a friend or family member who is involved in your medical care. We may also give information to someone who helps pay for your care.

#### **Notification.**

- Unless you object, we may use or disclose your medical information to notify a family member, a personal representative or another person responsible for your care of your location, general condition or death.

#### **Psychotherapy Notes.**

- Most uses and disclosures of psychotherapy notes will only be made with your authorization. For example, without your authorization, these notes may only be used for treatment and training purposes, or for use in your treatment by the original writer of the notes.

#### **Research.**

- We may use or disclose your medical information for certain research purposes, if an Institutional Review Board or privacy board has altered or waived individual authorization, the review is preparatory to research, or the research is limited to information about a decedent. Before we use or disclose medical information for research, the project will have been approved through this research approval process. We will always ask for your specific permission if the researcher will have access to your name, address, or other information that reveals who you are, or will be involved in your care.

#### **Business Associates**

- We may disclose your health information to a business associate with whom we contract to provide services on our behalf. To protect your health information, we require our business associates to appropriately safeguard the health information of our patients.

#### **Public Safety.**

- We may use or disclose your medical information to prevent or lessen a serious threat to your health and safety or the health and safety of another person or to the public.

SPECIAL SITUATIONS: The following situations may result in additional uses and disclosure of health information by Appalachian Regional Healthcare.

**Workers' Compensation.**

- We may disclose your medical information as authorized by laws relating to workers' compensation or similar programs.

**Organ and Tissue Donation.**

- If you are an organ donor, we may disclose your medical information to an organ donation and procurement organization, or as otherwise required by state or federal law.

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

- We may disclose your medical information to a coroner, medical examiner or a funeral director.

**Health Oversight Activities**

- We may disclose medical information to a health oversight agency for activities authorized by law. These activities include, for example, audits, investigations, inspections and licensure activity. These activities are necessary for the government to monitor the healthcare system, government programs, and compliance with civil rights laws.

**Disclosure to the Department of Health and Human Services.**

- We may disclose medical information when required by the United States Department of Health and Human Services as part of an investigation or determination of our compliance with relevant laws.

**Legal Proceedings.**

- We may disclose your medical information in the course of certain judicial or administrative proceedings such as in a suit or criminal action.

**Law Enforcement.**

We may disclose your medical information if asked to do so by a law enforcement official:

- In response to a court order, subpoena, warrant, summons or similar process;
- To identify or locate a suspect, fugitive, material witness, or missing person;
- About the victim of a crime if we are unable to obtain the person's agreement;
- About a death we believe may be the result of criminal conduct About criminal conduct at an Appalachian Regional Healthcare facility
- In emergencies to report a crime, the location of the crime or victims; or the identity, description or location of the person who committed the crime
- To Children and Family Services

**Public Health Risks.**

- We may disclose to authorize public health or government officials medical information about you for public health activities. These activities generally include the following:
  - to a person subject to the jurisdiction of the Food and Drug Administration (FDA) for purposes related to the quality, safety or effectiveness of an FDA-regulated product or service;
  - to prevent or control disease, injury or disability;
  - to report disease or injury;
  - to report births and deaths;
  - to report child abuse or neglect;
  - to report reactions to medications and food or problems with products;
  - to notify people of recalls or replacements of products they may be using;
  - to notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition;
  - to notify the appropriate government authority if we believe a patient has been the victim of abuse, neglect or domestic violence. We will only make this disclosure if you agree or when required or authorized by law.

**Disaster Relief.**

- We may disclose your medical information to a public or private entity, such as the American Red Cross, for the purpose of coordinating with that entity to assist in disaster relief efforts.

**OTHER USES OF MEDICAL INFORMATION**

Other uses and disclosure of medical information not covered by this notice or the laws that apply to us will be made only with a patient's written permission. If you provide us with permission to use or disclose your medical information, you may revoke that permission in writing, at any time. If you revoke your permission, we will no longer use or disclose medical information about you for the reasons covered by the original written authorization. You understand we are unable to take back any disclosure we have already made with your permission, and we are required to retain our records of the care we provided to patients.

For example, your medical information will be used or disclosed for the following purposes **ONLY** with your written authorization:

- Any use or disclosure for marketing purposes
- Any use or disclosure which would constitute the sale of protected health information
- Most uses and disclosures of psychotherapy notes
- Any use or disclosure not specifically set forth herein.

To request a Revocation of Authorization form, you may contact the Health Information Department at the hospital or facility. You may also contact: Chief Privacy Officer, ARH System Center, 100 Airport Gardens Road, Hazard, KY 41701 or the ARH Office of Legal Affairs at 606-439-6936 to request a form.

**YOUR RIGHTS REGARDING YOUR MEDICAL INFORMATION**

You have the following rights with respect to your medical information:

- You may ask us to restrict certain uses and disclosures of your medical information. We are not required to agree to all requests for restriction, but if we do, we will honor it.
- You also have the right to restrict the disclosure of your protected health information to your insurance or other health plan if you have paid for the services you receive out of your own pocket.
- You have the right to receive communications from us in a confidential manner. To request confidential communication, you must make a request in writing to the Health Information Dept. at the hospital or facility where your medical records are maintained. A request must specify how or where you wish to be contacted. ARH will make efforts to accommodate all reasonable requests.
- Generally, you may inspect and copy your medical information. This right is subject to certain specific exceptions, and you may be charged a reasonable fee for any copies of your records.
- You may ask us to amend your medical information. We may deny your request for certain specific reasons. If we deny your request, we will provide you with a written explanation for the denial and information regarding further rights you may have.
- You have the right to receive an accounting of the disclosures of your medical information made by ARH during the last six years (but not prior to April 14, 2003), except for disclosures for treatment, payment or healthcare operations, other disclosures listed in this notice, disclosures which you have authorized, and certain other specific disclosure types.
- You may request a paper copy of this Notice of Privacy Practices. You may ask us for a copy of this notice at any time. Even if you have agreed to receive this notice electronically, you are still entitled to a paper copy of this notice.
- Right to Breach Notification – You have the right to be notified of any breach of your unsecured healthcare information.

You have the right to complain to us or to the United States Department of Health and Human Services if you believe that we have violated your privacy rights. If you choose to file a complaint, you will not be retaliated against in any way. To complain to us, or if you would like further information regarding your rights or about the uses and disclosures of your medical information, you may contact the Chief Regulatory Affairs Officer (“CCRAO”) at the local ARH facility where you received your treatment, or you may contact: Chief Privacy Officer, ARH System Center, 100 Airport Gardens Road, Hazard, Kentucky 41701 or the ARH Office of Legal Affairs at 606.439.6936.

**REVISION OF NOTICE OF PRIVACY PRACTICES**

We reserve the right to change the terms of this Notice, making any revision applicable to all the protected health information we maintain. If we revise the terms of this Notice, we will post a revised notice at our facilities and will make copies of the revised Notice of Privacy Practices available to our patients upon request.