

Patient Privacy Notice

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.

Purpose of this Notice: The Fire Department of the City of Thornton, a hybrid covered entity under the Privacy Rule, (herein after referred to as "Thornton Fire Department"), is required by law to maintain the privacy of certain confidential health care information, known as Protected Health Information (or PHI), and to provide you with a notice of our legal duties and privacy practices with respect to your PHI. This Notice describes your legal rights, advises you of our privacy practices, and lets you know how THORNTON FIRE DEPARTMENT is permitted to use and disclose your PHI. Thornton Fire Department is also required to abide by the terms of the version of this Notice currently in effect. We may use this information after we obtain your consent, **and in certain emergency and other specific situations without your immediate consent.**

Uses and Disclosures of PHI: THORNTON FIRE DEPARTMENT may use PHI for the purposes of treatment, payment, and other health care operations. Examples of our use of your PHI:

For Treatment. This includes such things as verbal and written information that we obtain about you and use pertaining to your medical condition and treatment provided to you by us and other medical personnel (including doctors and nurses who give orders to allow us to provide treatment to you). It also includes information we give to other health care personnel to whom we transfer your care and treatment, and includes transfer of PHI via radio or telephone to the hospital as well as providing the hospital with a copy of the written record we create in the course of providing you with treatment and transport.

For Payment. This includes any activities we must undertake in order to get reimbursed for the services we provide to you, including such things as organizing your PHI and submitting bills to insurance companies (either directly or through a third party billing company), management of billed claims for services rendered, medical necessity determinations and reviews, utilization review, and collection of outstanding accounts.

For Health Care Operations. This includes quality assurance activities, licensing, and training programs to ensure that our personnel meet our standards of care and follow established policies and procedures, obtaining legal and financial services, conducting business planning, processing grievances and complaints, creating reports that do not individually identify you for data collection purposes, fundraising, and certain marketing activities.

Fundraising. We may contact you when we are in the process of raising funds for Thornton Fire Department, as directed by the City of Thornton, or to provide you with information about our annual subscription program. Furthermore, limited data sets that do not individually identify you may be created where required for consideration of federal, state or special program grants.

Information on Other Services. We may also contact you to provide you information about alternative services we provide or other health-related benefits and services that may be of interest to you.

Use and Disclosure of PHI Without Your Consent. Thornton Fire Department is authorized to use PHI without your consent, authorization, or written permission in certain situations, including:

- Emergency situations (in these situations, in accordance with the law we will attempt to get your written consent after the emergency service is provided and we would appreciate your cooperation when we do so);
- To a relative, friend or individual involved in your care;
- 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 or 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 health care 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, in compliance with workers' compensation laws.
- For any other situation as required by any state, federal or other regulatory authority.

Any other use or disclosure of PHI, other than those listed above will only be made with your written consent or an authorization (an authorization specifically identifies the information we seek to use or disclose, as well as when and how we seek to use or disclose it). You may revoke your consent or authorization at any time, in writing, except to the extent that we have already used or disclosed medical information in reliance on that consent or authorization.

Patient Rights: As a patient, you have a number of rights with respect to the protection of your PHI, including:

The right to access, copy or inspect your PHI. This means you may come to our offices and inspect and copy most of the medical information about you that we maintain. We will normally provide you with access to this information within 30 calendar days of your request. Additional time may be necessary should your request include PHI that is maintained off site, such as with our billing service or another medical agency, hospital or other medical provider involved with your care. We may also charge you a reasonable fee for you to copy any medical information that you have the right to access. In limited circumstances, we may deny you access to your medical information, and certain types of denials may be appealed. We have available forms to request PHI and will provide a written response if we deny you access and let you know your appeal rights. If you wish to inspect and copy your medical information, you should contact the privacy officer listed at the end of this Notice.

The right to amend your PHI. You have the right to ask us to amend written medical information that we may have about you. We will generally amend your information within 60 calendar days of your request and will notify you when we have amended the information. We are permitted by law to deny your request to amend your medical information only in certain circumstances, such as when we believe the information you have asked us to amend is correct. You can appeal our denial of your request to amend the information. If you wish

to amend the medical information that we have about you, you should contact the Privacy Officer listed at the end of this Notice.

The right to request an accounting of our use and disclosures of your PHI. You may request an accounting from us of certain disclosures of your medical information that we have made in the last six years prior to the date of your request. We are not required to give you an accounting of information we have used or disclosed for purposes of treatment, payment or health care operations, or of uses or disclosures made prior to April 14, 2003. If you wish to request an accounting of the medical information about you that we have used or disclosed, you should contact the privacy officer listed at the end of this Notice.

The right to request that we restrict the uses and disclosures of your PHI. You have the right to restrict how we use and disclose your medical information that we have about you for treatment, payment or health care operations, or to restrict the information that is provided to family, friends and other individuals involved in your health care. But if you request a restriction and the information you asked us to restrict is needed to provide you with emergency treatment, then we may use the PHI or disclose the PHI to a health care provider to provide you with emergency treatment. Thornton Fire Department is not required to agree to any restriction you request, but any restrictions agreed to by Thornton Fire Department are binding on Thornton Fire Department.

Legal Rights and Complaints: Notice of any changes in THORNTON FIRE DEPARTMENT's privacy directives and guidelines may be shown directly on the consent form and this Notice will be updated when any significant changes occur. Thornton Fire Department reserves the right to change the terms of this Notice at any time, and the changes will be effective immediately. We also reserve the right to make any changes effective for PHI that we have created or received prior to the effective date of the Notice provision that was changed.

You also have the right to file a complaint with us, or the Secretary of the federal Department of Health and Human Services if you believe your privacy rights have been violated. You will not be retaliated against in any way for filing such a complaint. Should you have any questions, comments or complaints you may direct all inquiries to the Privacy Officer listed at the end of this Notice.

If you have any questions you may contact the Privacy Officer in writing or by phone at:

PRIVACY OFFICER
THORNTON FIRE DEPARTMENT
9500 Civic Center Drive
Thornton, CO 80229
303-538-7602

If you wish to file a complaint, please review the Thornton Fire Department's HIPAA Complaint Procedure outlined below.

Effective Date of the Notice: September 1, 2004

Thornton Fire Department may revise this Notice at any time. You can get a copy of the latest version of this notice by contacting the Privacy Officer.

COMPLAINT PROCEDURE

You have the right to make a complaint directly to the Privacy Officer of Thornton Fire Department with respect to the use and disclosure of protected health information (PHI) about you. You may also make a complaint about concerns you have regarding compliance with any established policies and procedures concerning the confidentiality and use of disclosure of your PHI, or about the requirements of the federal Privacy Rule.

All complaints should be directed to our Privacy Officer at the above address. Any and all complaints require written documentation and verification of the individual's identity. In order to file a complaint you may be required to submit the appropriate Complaint Form. This form is available through our Privacy Officer. In the event our Privacy Officer is absent, Thornton Fire Department has designated several alternate Privacy Officers to ensure compliance with the procedure defined below. This information is available once a written complaint has been filed with Thornton Fire Department.

1. *Process for complaints filed with Thornton Fire Department.* In accordance with the Privacy Rule, once a complaint has been filed in compliance with the guidelines above, the Privacy Officer will have 30 calendar days to review the material information pertaining to the complaint including, but not limited to:

- a. Necessary Protected Health Information
- b. Patient Care Operations
- c. Transfer of Care to other Medical Service Providers
- d. Definitive Diagnoses and Outcomes at Destination Facilities
- e. Incident Report Forms of the Responding Agencies
- f. Other Documentation allowed under the Privacy Rule

2. In the event that review requires access to any other restricted-access legal reports concerning the relevant incident, Thornton Fire Department's Privacy Officer retains the right to extend the days allowed for investigation of the complaint provided that the complainant is notified in writing of the extension within 30 calendar days of the submitted written complaint. The length of extension may vary depending on the amount of material to be reviewed. However, unless otherwise identified in the written notice, such extension will provide an additional 30 calendar days for further investigation of the complaint.

3. Once the pertinent information has been reviewed, the Privacy Officer will issue a written decision to the complainant as to the appropriate resolution for the complaint.

4. The complainant shall have 30 calendar days from the date of written notice to request a secondary review by an outside licensed medical professional, in accordance with the Privacy Rule.

- a. Such request must be in writing and submitted or post-marked within 30 calendar days of receipt of the initial decision.
- b. Thornton Fire Department's Privacy Officer will have 15 calendar days to select a qualified licensed medical professional and notify the complainant in writing.
- c. A qualified licensed medical professional will be considered an appropriate outside professional provided that they:
 - i. Are a licensed physician assistant, nurse practitioner or physician in the state of Colorado
 - ii. Have a working familiarity with HIPAA guidelines
 - iii. Are not currently employed by, or receive direct monetary compensation from, the City of Thornton
 - iv. Are available within the timeline specified by the policies contained herein

5. Upon selection of the qualified licensed medical professional, Thornton Fire Department shall provide all pertinent materials identified under section (c) above to the medical professional, and they shall have 30 calendar days to review the materials.

6. Upon review by the selected qualified licensed medical professional, the decision shall be issued in writing to complainant. This decision shall include a review of the Privacy Officer's recommended

resolution and, where appropriate, any changes to the Privacy Officer's initial recommended resolution. This written decision shall constitute the City of Thornton's final order regarding the complaint.

7. The Privacy Officer, shall ensure the completion of the final order provided in writing to the complainant within 30 calendar days, or other appropriate timeline as provided in the written resolution order.

8. In the event that state or federal Privacy Rule guidelines conflict with this complaint procedure, the state or federal guidelines will supersede this policy where appropriate.

YOU MAY ALSO MAKE A COMPLAINT TO THE FEDERAL GOVERNMENT:

If you believe the Thornton Fire Department is not complying with the applicable requirements of the federal Privacy Rule you may file a complaint with the Secretary of the US Department of Health and Human Services.

(a) *Requirements for filing complaints.* Complaints under this section must meet the following requirements:

1. A complaint must be filed in writing, either on paper or electronically.
2. A complaint must name the entity that is the subject of the complaint and describe the acts or omissions believed to be in violation of the applicable requirements of the federal Privacy Rule or the applicable standards, requirements, and implementation specifications of subpart E of part 164 of the federal Privacy Rule.
3. A complaint must be filed within 180 calendar days of when the complainant knew or should have known that the act or omission complained of occurred, unless the Secretary, for good cause shown waives this time limitation.
4. The Secretary may prescribe additional procedures for the filing of complaints, as well as the place and manner of filing, by notice in the Federal Register.

(b) *Investigation.* The Secretary may investigate complaints. Such investigation may include a review of the pertinent policies, procedures, or practices of the covered entity and of the circumstances regarding any alleged acts or omissions concerning compliance.