

Boston Medical Center 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.

Boston Medical Center (BMC) and its affiliated physicians or providers make a record each time you receive health care or services. Your records have information about your symptoms, examination, test results, diagnosis and billing for services. The law requires BMC to keep your health information private and also to tell you about how it keeps health information private. BMC is required to abide by the terms of the Notice of Privacy Practices (NPP) currently in effect. You can always request a copy of this Notice from our Registration area. You may also view the Notice on our web site: <http://www.bmc.org>.

This Notice applies to BMC, Boston University Medical Center Faculty Plan Foundation physician practices, and the following individuals or organizations (BMC):

- Any health care professional authorized to enter information into your hospital chart
- Any health care provider who is a member of the BMC Medical and Dental Staff
- All BMC workforce members, including employees, staff, volunteers and other hospital personnel
- Community Health Centers of Boston HealthNet: BMC and the centers share medical information for treatment, payment, and health care operations purposes as described in this Notice.

HOW WE MAY USE AND DISCLOSE (RELEASE) HEALTH INFORMATION ABOUT YOU

Use means sharing health information inside BMC. Disclosure means release of health information outside BMC. We may use and disclose health information in the following ways without getting specific permission.

➤ **Treatment, Payment, Health Care Operations**

- **Treatment** – to provide, coordinate or manage your health care and related services. Doctors, nurses, technicians, medical students and others involved in taking care of you share medical information about you. Your treatment includes working with people involved in your care before and after your BMC services. For example, BMC may disclose information to (1) an ambulance service that takes you to or from BMC; (2) a rehabilitation center or home health agency that will be caring for you; and (3) other doctors who may be treating

you, such as the doctor who referred you to BMC or to whom a BMC provider refers you or who is otherwise involved in your care.

- **Payment for Treatment** – to help BMC or another provider obtain payment for your health care services. Payment activities include (1) checking eligibility or referral from a health plan; (2) reviewing need for and use of services; and (3) sending bills to your insurance company.
- **Health Care Operations** – to help run BMC or to check the quality of care that you receive. For example we may combine information from multiple sources about patients to review their care. We may also use health information to review employees' performance; train students; help meet hospital licensing and accreditation rules; and market and raise funds for BMC. We may disclose your health information to "Business Associates" that we hire to help us, such as billing

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and computer companies, accountants, and typists. All Business Associations must assure us in writing that they will safeguard your health information.

➤ Other Permitted Uses and Disclosures

BMC may also use and disclose your health information for the following:

- **Appointment Reminders:** sent to you about medical treatment or care.
- **Health-Related Benefits and Services and Treatment Alternatives:** sending information about treatment alternatives or other health-related benefits and services that may interest you.
- **Fundraising Activities:** contacting you about BMC fundraising efforts. Any materials received will contain information on how to remove yourself from the fundraising list.

USES AND DISCLOSURES REQUIRING AN OPPORTUNITY TO AGREE OR OBJECT

For the following uses and disclosures of health information we must provide an opportunity for you to agree or object:

Patient Directory: your name, location while at BMC, general condition and religious affiliation are used in BMC directories. Directory information is disclosed to:

- members of the clergy
- other persons who ask for you by name (except religious affiliation)

If you are unable to object or agree BMC may include you in the directory and disclose your directory information if it is determined it is in your best interest to do so. If you become able to agree or object you will be given an opportunity to express your wishes. If you object to being included in BMC Directories, we will not disclose your information to anyone who asks for you, including but not limited to florists, the United States Postal Service, family,

friends, clergy, and anyone else asking for you or your location.

Persons Involved in Your Care

- To people involved in your care or in payment for your care such as family members, relatives, close friends or other persons you identify.
- When you are not present we may use professional judgment and your best interests and decide to disclose relevant information to an individual who is directly involved in your health care.

Notification

- To notify your family or other person responsible for your care of your location, general condition, or death.

Disaster Relief Purposes

- To authorized public or private entities to assist in disaster relief efforts.
- To coordinate uses and disclosures to individuals involved in your care.

USES OR DISCLOSES THAT DO NOT REQUIRE YOUR PERMISSION

BMC may use or disclose your protected health information in some cases without your authorization. The following list describes the ways this may happen. Not every use or disclosure in a category will be listed. But we provide a brief description in certain cases.

- **As required by law**
- For **Public Health Activities:** to prevent or control disease, injury, or disability; to report child abuse or neglect; or as otherwise authorized by law; to report reactions to medicine or problems with products; to notify a person exposed to a contagious disease.
- To **prevent a serious threat** to health or safety.
- To **your employer for evaluation** of work-related illness or injury, or for medical surveillance purposes.

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- For **Lawsuits and Administrative Proceedings**: To respond to court or administrative order; to respond to a subpoena or lawful request.
- For **law enforcement purposes**: To respond to a warrant, identify suspects, or to report crime on BMC property.
- **To report suspected abuse and neglect** of the elderly, disabled, or nursing home patients to appropriate government agencies.
- To comply with laws relating to **Workers' Compensation** or other similar programs.
- **To correctional institution or law enforcement**, if you are an inmate of a correctional institution or in law enforcement custody, to provide you with health care; to protect the health and safety of yourself or others; for health and safety of correctional institution.
- **To Coroners and Medical Examiners**: To identify, determine cause of death or perform other duties.
- **To Funeral Directors** to carry out their duties.
- **Organ and Tissue Donation**: To organizations that handle organ, eye, or tissue donation and transplants.
- **To Health Oversight Agencies** for activities such as audits or inspections to oversee the health care system or government programs
- **Research uses and disclosures permitted without authorization**: Reviews of information to prepare research; research on dead person's information; or research use or disclosure with an approved waiver of authorization. Such waivers require special review and approval.
- **Special Government Activities**
 - **Military Activities**: To appropriate military command authorities as required, if you are U.S. armed forces personnel; and for foreign military personnel, to appropriate foreign military authorities.
 - To authorized federal officials
 - for lawful national security purposes,

- to provide protective services for the President and others.

USES AND DISCLOSURES THAT REQUIRE WRITTEN AUTHORIZATION

Other uses or disclosures of your record will be made only with your written authorization. Disclosures requiring written authorization include drug and alcohol treatment records, mental health records, and AIDS/HIV and genetic testing information. You may withdraw an authorization at any time; however, we are not able to take back disclosures that we have already made with your authorization. Also, you can not withdraw an authorization that was a condition of obtaining insurance coverage. All withdrawals must be made in writing. Contact the BMC Privacy Officer 617-414-1800.

YOUR RIGHTS REGARDING MEDICAL INFORMATION ABOUT YOU

Regarding medical information we maintain about you, you have the right to:

- request restrictions on uses and disclosures of your record for treatment, payment or health care operations. All requests must be made in writing. The law does not require us to agree to restriction requests. For emergency treatment, we may use or disclose restricted information. The right to request restrictions does not apply to uses and disclosures required by law.
- request confidential communications of protected health information in a certain way or at a certain place. All requests must be made in writing. If we accept your request, we will require you to provide information about payment handling, alternate address, and contact method.
- inspect and copy protected health information that may be used to make decisions about you. This does not include psychotherapy notes, clinical laboratory data or information compiled in anticipation of or for use in a civil, criminal or administrative

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action or proceeding. This right is suspended temporarily until study completion for information created or obtained during research. The law permits us to charge a fee for copying costs.

- request us to amend information that may be used to make decisions about you. We are not required to agree to your request. We may deny your request if: (1) BMC did not create the information, unless the person or entity that created the information is no longer available to make the amendment; (2) the information is not part of the information kept by or for BMC to make decisions about you; (3) the information is not part of the information that you are allowed to inspect or copy; or (4) the information is complete and accurate. You must request an amendment in writing and supply a reason to support your request.
- receive an accounting of certain disclosures of your protected health information. The accounting right does not apply to disclosures that you have authorized or to disclosures for treatment, payment, and health care operations.
- obtain a paper copy of this Notice upon request.

HOW TO EXERCISE THESE RIGHTS OR GET MORE INFORMATION ABOUT THIS NOTICE

To exercise your rights or for more information about matters in this Notice, please contact:

BMC Privacy Officer
Boston Medical Center
88 East Newton Street
Boston, MA 02118
(617) 414-1800

HOW TO FILE A COMPLAINT

If you believe your privacy rights have been violated or to file a complaint, please call the Patient Advocacy Program at (617) 414-4970.

You may also file a complaint with the Secretary of the Department of Health and Human Services.

BMC will in no way retaliate against you for filing a complaint.

CHANGES TO THIS NOTICE

We reserve the right to change this Notice. We reserve the right to make the revised or changed Notice effective for medical information we already have about you as well as for any information we receive in the future. We will post a copy of the current Notice in the hospital. If we change the NPP, you will get a new NPP at your next visit to a BMC hospital, physician or other provider after the change takes effect.

HealthNet Health Centers

Codman Square Health Center
Dorchester House Multi-Service Center
East Boston Neighborhood Health Center
Geiger-Gibson Community Health Center
Greater Roslindale Medical and Dental Center
Harvard Street Neighborhood Health Center
Health Care for the Homeless
Manet Community Health Center
Mattapan Community Health Center
Neponset Health Center
Roxbury Comprehensive Community Health Center
South Boston Community Health Center
South End Community Health Center
Upham's Corner Health Center
Whittier Street Neighborhood Health Center