

ADVANCED ALLERGY & ASTHMA ASSOCIATES, P.C. NOTICE OF HIPAA PRIVACY POLICY & PROCEDURES

As required by the privacy regulations created as a result of the Health Insurance Portability & Accountability Act of 1996 (HIPAA), this notice describes how health information about you (as a patient of this practice) may be used & disclosed, & how you can get access to your individually identifiable health information. Please review this notice carefully.

OUR COMMITMENT TO YOUR PRIVACY

Our practice is dedicated to maintaining the privacy of your protected health information (PHI). In conducting our business, we will create records regarding you & the treatment & services we provide to you. We are required by law to maintain the confidentiality of health information that identifies you. We are also required by law to provide you with this notice of our legal duties & the privacy practices that we maintain in our practice concerning your PHI. By federal & state law, we must follow the terms of the notice of privacy practices.

We realize that these laws are complicated, but we must provide you with the following information:

How we may use & disclose your identifiable health information.

Your privacy rights in regard to your PHI

Our obligation concerning the use & disclosure of your PHI.

The terms of this notice apply to all records containing your PHI that are created or retained by our practice. We reserve the right to revise or amend this Notice of Privacy Practices. Any revision or amendment to this notice will be effective for all of your records that our practice has created or maintained in the past, & for any of your records that we may create or maintain in the future. Our practice will post a copy of your current Notice in our offices in a visible location at all times, & you may request a copy of our most current Notice at any time. If you have questions about this notice, please contact the office manager.

We may use & disclose your individually identifiable health information (PHI) in the following ways. The following categories describe the different ways in which we may use & disclose your PHI.

1. **Treatment**. Our practice may use your PHI to treat you. For example, we may ask you to have laboratory tests (such as blood or urine), & we may use the results to help us reach a diagnosis. We might use your PHI in order to write a prescription for you, or we might disclose your PHI to a pharmacy when we order a prescription for you. The people who work in our practice, including but not limited to, our doctors & nurses, may use or disclose your PHI in order to treat you or to assist others in your treatment. Additionally, we may disclose your PHI to others who may assist in your care, such as your spouse, children or parents.
2. **Payment**. Our practice may use & disclose your PHI in order to bill & collect payment for services & items you may receive from us. We may contact your health insurer to certify that you are eligible for benefits (& for what range of benefits) & we may provide your insurer with details regarding your treatment to determine if your insurer will cover, or pay for, your treatment. We also may use & disclose your PHI to obtain payment from third parties that may be responsible for such costs, such as family members. Also, we may use your PHI to bill you directly for services & items.
3. **Health Care Operations**. Our practice may use & disclose your PHI to operate our business. As examples of the ways in which we may use & disclose your information for our operations, we may use your PHI to evaluate the quality of care you received from us, or to conduct cost-management & business planning activities for our practice.
4. **Appointment Reminders**. Our practice may use & disclose your PHI to contact you & remind you of an appointment.
5. **Treatment Options**. Our practice may use & disclose your PHI to inform you of potential treatment options or alternatives
6. **Health Related Benefits & Services**. Our practice may use & disclose your PHI to inform you of health related benefits or services that may be of interest to you.
7. **Release of Information to Family/Friends**. Our practice may release your PHI to a friend or family member involved with your care, or who assists in taking care of you. For example, a parent or guardian may ask that a baby sitter/nanny take their child to the office for treatment. In this example, this person might have access to this child's medical information.
8. **Disclosures required by law**. Our practice will use & disclose your PHI when we are required to do so by federal, state or local law.

Use & Disclosure of your PHI in Certain Special Circumstances: The following categories describe unique scenarios in which we may use or disclose you identifiable health information.

Public Health Risks. Our practice may disclose your PHI to public health authorities that are authorized by law to collect information for the purpose of maintaining vital records, Reporting child abuse or neglect, Preventing or controlling disease, injury or disability. Notifying a person regarding potential exposure to a communicable disease.

Notifying a person regarding a potential risk for spreading or contracting a disease or condition, Reporting reactions to drugs or problems with products or devices. Notifying individuals if a product or device they may be using has been recalled. Notifying appropriate government agencies & authorities regarding the potential abuse or neglect of an adult patient, including domestic violence; however we will only disclose this information, if the patient agrees or we are required or authorized by law to disclose. Notifying your employer under limited circumstances related primarily to workplace injury or illness or medical surveillance.

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Health Oversight Activities. Our practice may disclose your PHI to a health oversight agency for activities authorized by law. Oversight activities may include investigations, audits, surveys, licensure & disciplinary actions, civil, administrative, criminal procedures, actions, or other activities necessary for the government to monitor government programs, compliance with civil rights laws & the health care system in general.

Lawsuits & Similar Proceedings. Our practice may use & disclose your PHI in response to a court or administrative order, if you are involved in a lawsuit or similar proceeding. We may also disclose your PHI in response to a discovery request, subpoena or other lawful process or by another party involved in the dispute, but only if we have made an effort to inform you of the request or to obtain an order protecting the information the party has requested.

Law Enforcement. We may release PHI if asked to do so by a law enforcement official: Regarding a crime victim in certain situations, if we are unable to obtain the person's agreement. Concerning a death we believe has resulted from criminal conduct. Regarding criminal conduct in our offices, In response to a warrant, summons, court order, subpoena or similar legal process, To identify or locate a suspect, material witness, fugitive or missing person, In an emergency, to report a crime (including the location of the victim(s) of the crime, or the description, identify or location of the perpetrator.

Deceased Patients. Our practice may release PHI as requested or required according to office policy.

Serious Threats to Health & or Safety. Our practice may use & disclose your PHI when necessary to reduce or prevent a serious threat to your health & safety or the health & safety of another person. Under these circumstances, we will only make disclosures to a person or organization able to prevent the threat.

Military. Our practice may disclose your PHI if you are a member of the military forces, including veterans, & if requested by the authorities.

National Security. Our practice may disclose you PHI to federal officials for intelligence & national security activities authorized by law. We also may disclose your PHI to federal officials conducting formal investigations.

Workers Compensation. Our practice may release your PHI for workers' compensation & similar programs.

YOUR RIGHTS REGARDING YOUR INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION

You have the following rights regarding the PHI that we maintain about you:

Confidential Communications. You have the right to request that our practice communicate with you about your health & related issues in a particular manner or at a certain location. For instance, you may ask that we contact you only at home, or only at work. In order to request a type of confidential communication you must make a written request specifying the requested method of conduct, or the location where you wish to be contacted. Our practice staff will accommodate reasonable requests. You do not need to give a reason for your request.

Requesting Restrictions. You have the right to request a restriction in our use or disclosure of your PHI. Additionally, you have the right to request that we restrict our disclosure of your PHI to only certain individuals involved in your care or the payment for your care, such as family & friends. We are not required to agree to your request. However, if we do agree, we are bound by our agreement except when otherwise required by law, in emergencies, or when the information is necessary to treat you. In order to request a restriction in our use or disclosure of your PHI, you must make your request in writing. Your request must describe in a clear & concise fashion: a) the information you wish restricted; b) whether you are requesting to limit our practice's use disclosure or both; & c) to whom you want the limits to apply.

Inspection & Copies. You have the right to inspect & obtain a copy of the PHI that may be used to make decisions about you, including patient medical records & billing records, but not including psychotherapy notes. You must submit your request in writing to this practice in order to inspect &/or obtain a copy of your PHI. Our practice charges a fee for the costs of copying, mailing, labor & supplies associated with your request. Our practice may deny your request to inspect &/or copy in certain limited circumstances; however you may request a review of our denial. Another licensed health care professional chosen by us will conduct reviews.

Amendment. You may ask us to amend your health information if you believe it is incorrect or incomplete, & you may request an amendment for as long as the information is kept by or for our practice. To request an amendment, your request must be in writing & submitted to our practice. You must provide us with a reason that supports your request for amendment. Our practice will deny your request if you fail to submit your request in writing & the reason supporting your request. Also we may deny your request if you ask us to amend information that is in our opinion: accurate & complete; not part of the PHI kept by or for the practice; not part of the PHI which you would be permitted to inspect or copy; or not created by our practice unless the individual or identity that created the information is not available to amend the information.

Accounting of Disclosures. All of our patients have the right to request an "accounting of disclosures". An "accounting of disclosures" is a list of certain non-routine disclosures our practice has made of your PHI for non-treatment or operations purposes. Use of your PHI as part of the routine patient care in our practice, is not required to be documented. For example, the

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doctor sharing information with the nurse, or the billing department, using your information to file your insurance claim. In order to obtain an accounting of disclosures, you must submit your request in writing to our practice. All requests for an "accounting of disclosures" must state a time period, which may not be longer than six years from the date of disclosure & may not include dates before April 14, 2003. The first list you request within a twelve month period of time is free of charge, but our practice may charge you for additional lists within the same 12 month period. Our practice will notify you of the costs involved with additional requests, & you may withdraw your request before you incur any costs.

Right to a Copy of this Notice. You are entitled to receive a paper copy of our notice of privacy practices. You may ask us to give you a copy of this notice at any time. To obtain a paper copy of this notice, contact any member of this practice.

Right to File a Complaint. If you believe your privacy rights have been violated, you may file a complaint with our practice or with the Secretary of the Department of Health & Human Services. To file a complaint with our practice, which must be in writing, contact the office manager at the location you are normally seen. You will NOT be penalized for filing a complaint.

Right to Provide an Authorization for Other Uses & Disclosures. Our practice will obtain your written authorization for uses & disclosures that are not identified by this notice or permitted by applicable law. Any authorization you provide to us regarding the use & disclosure of your PHI may be revoked at any time IN WRITING. After you revoke our authorization, we will no longer use or disclose your PHI for the reasons described in the authorization. Please note, we are required to retain records of your care.

**IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE OR OUR HEALTH INFORMATION PRIVACY PRACTICES,
PLEASE CONTACT DR. SIMONTE AT 212-924-7908 IN OUR OFFICE.**