



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.

The Health Insurance Portability & Accountability Act of 1996 (HIPAA) requires all health care records and other individually identifiable health information (protected health information) used or disclosed to us in any form, whether electronically, on paper, or orally, be kept confidential. This federal law gives you, the patient, significant new rights to understand and control how your health information is used. HIPAA provides penalties for covered entities that misuse personal health information. As required by HIPAA, we have prepared this explanation of how we are required to maintain the privacy of your health information and how we may use and disclose your health information.

Your Health Care Information - Protecting Your Privacy

It is your right as a patient to be informed of the privacy practices of your health care provider as well as to be informed of your privacy rights with respect to your personal health information. This Notice of Privacy Practices is intended to provide you with this information.

North Shore Orthopaedics' Responsibilities

It is your right as a patient to be informed of North Shore Orthopaedics' legal duties with respect to protection of the privacy of your personal health information.

North Shore Orthopaedics is required to: Maintain the privacy of your health information, provide you with a notice of the legal duties and privacy practices regarding protected health information collected and maintained about you; and abide by the terms of this notice. North Shore Orthopaedics, from now on referred to as NSO, reserves the right to change the terms of the notice of privacy practices and make the new notice provisions effective for all protected health information that it maintains. NSO also reserves the right to change the terms of its notice with respect to any applicable more limited uses and disclosures. NSO will promptly revise and distribute its notice whenever NSO makes a substantial change to any of its privacy practices. NSO will not use or disclose your health information without your authorization, except as described in this notice.

Your Health Information Rights

You have the right to:

- **Request a restriction on certain uses and disclosures of your health information.**
You have the right to request restrictions on certain uses and disclosures of protected health information, even if the restriction affects your treatment or NSO's payment or health care operation activities; however, NSO is not required to agree to your requested restriction. For example, if you are an employee of the clinic and you receive health care services in the clinic, you may request that your health care record not be maintained in the general record filing area.
- **Receive Confidential Communications.**
You have the right to request that NSO communicate your health information to you by alternative means or at alternative locations. NSO shall accommodate reasonable requests. For example, you may request to be contacted at a phone number that is different from the phone number listed in your health care record.
- **Inspect and obtain a copy of your health record.**
You have the right to inspect and obtain a copy of your health care record. This request must be submitted in writing to the Medical Records Department. This right may not apply

to certain types of psychotherapy notes and NSO may charge you a reasonable fee for a copy of your health care record.

- **Amend your health record.**

You have the right to request an amendment to your health care record if you believe your health information is incorrect or incomplete. You may be asked to make this request in writing and state the reason why your health record should be changed. If NSO did not create the health information you believe is incorrect or if NSO disagrees with you, NSO may deny your request.

- **Obtain an accounting of disclosures of your health information.**

You have the right to an accounting of disclosures of your health information that NSO has made in compliance with state and federal law after April 14, 2003. The accounting will describe the dates of each disclosure, a brief description of information disclosed, and the reason for disclosure. You may receive one accounting per year at no charge, if you so request, and NSO may charge you a reasonable fee for each subsequent request. This time period may not be longer than six years and may not include dates before April 14, 2003.

Uses and Disclosures for Treatment, Payment and Health Care Operations

North Shore Orthopaedics is permitted by the federal privacy rule to use or disclose your protected health information for treatment, payment or health care operations. If we need to contact you by phone, we may leave minimal information on an answering machine or with the person answering the phone at the number provided. For example, we may leave messages regarding appointments, that test results have arrived, or similar medical information.

NSO may use or disclose your health information for treatment. NSO may use or disclose your health information in the provision, coordination or management of your health care.

NSO may use or disclose your health information for payment. NSO may use or disclose your health information to obtain reimbursement for the provision of health care services. The bill may include information that identifies you, your diagnosis and your treatment.

NSO may use or disclose your health information for routine health care operations. NSO may use or disclose your health information for evaluation of patient care services, evaluating the performance of health care providers, activities relating to compliance with the law and business planning and development.

Uses or Disclosures of Your Protected Health Information Permitted Without Your Authorization. Without your written authorization, NSO may use or disclose your health information for the following purposes:

As Required by Law: NSO may use or disclose protected health information to the extent that the use or disclosure is required by law and the use or disclosure complies with and is limited to the relevant requirements of the law. Uses or disclosures required by federal privacy rule and limited by the more protective requirements of state law include the following: Disclosures about victims of elderly or child abuse; disclosures for judicial and administrative proceedings; or disclosures for law enforcement purposes.

Public health: As required by law, NSO may disclose your protected health information to the State of Wisconsin for the purpose of statutory reporting. NSO may disclose your protected health information excluding mental health, alcohol or drug abuse or developmental disabled or HIV test result to a state or federal public health agency for the purpose of preventing or controlling disease, injury or disability. NSO may disclose your protected health information excluding your HIV test result without your authorization to a county agency investigating child abuse. NSO may disclose your protected health information excluding mental health, alcohol or drug abuse or developmental disabled or HIV test result without your authorization to the Food and Drug Administration (FDA). NSO may disclose your HIV test result without your authorization to a person that may have sustained a contact that carries a potential for transmission of HIV. NSO may disclose your protected health information that is reasonably

related to a work related illness or injury if an application for workers' compensation has been filed.

Victims of abuse, neglect or domestic violence: NSO may disclose health information except for an HIV test result if NSO reasonably believes that an individual is a victim of child or elderly abuse.

Health oversight activities: NSO will not disclose HIV test results to health care oversight agencies without an authorization. NSO may disclose your mental health, alcohol or drug abuse or developmental disability related health information to the Department of Health and Family Services, to the county for coordination of human services and to a representative of the board on aging and long-term care. The remainder of your protected health information may be disclosed without your authorization to a state or federal agency.

Judicial and Administrative Proceedings: NSO may disclose your protected health information in response to a court order. NSO may disclose your protected health information in response to a subpoena if NSO is a party to a court action, NSO has received your authorization to disclose and has not complied within two business days or NSO failed to respond to a request for workers' compensation records. NSO may disclose your protected health information excluding mental health, alcohol or drug abuse or developmental disabled or HIV test result in response to a subpoena from a state or federal agency.

Law enforcement: NSO may disclose your protected health information except for HIV test results to county law enforcement officials for the reporting and investigation of elderly and/or child abuse. NSO may disclose your protected health information except for mental health, alcohol or drug abuse or developmental disabled or HIV test results to state and federal law enforcement officials. NSO may disclose mental health, alcohol or drug abuse or developmental disabled protected health information for limited law enforcement purposes as required by law. NSO may disclose your protected health information to a law enforcement official in response to a court order.

For activities related to death:

Coroner or Medical Examiner: NSO may use or disclose your protected health information that is not an HIV test result or related to mental health, alcohol or drug abuse and developmental disabilities to a coroner or medical examiner. **Funeral Director:** NSO may use or disclose your HIV test result a funeral director.

For cadaveric organ, eye or tissue donation purposes: NSO may use or disclose your HIV test result to organ procurement organizations or other entities engaged in the procurement, banking, or transplantation or cadaveric organs, eyes or tissue for the purpose of facilitating organ, eye or tissue donation and transplantation.

Research: NSO may use or disclose your protected health information for research purposes if the researcher has obtained your permission or fulfilled the stringent privacy requirements of state and federal law.

To avoid a serious threat to health or safety: NSO may disclose your protected health information under limited circumstances to law enforcement officials to avert a serious threat to health or safety.

Disclosures for specialized government functions: NSO may disclose protected health information excluding mental health, alcohol or drug abuse or developmental disabled or HIV test result for national security, for protection of the President and for medical suitability determination or of Armed Forces personnel to a state or federal agency.

NSO may disclose protected health information to limited staff of a correctional institution or a custodial law enforcement official for the provision of health care and the transport of inmates.

Workers compensation: NSO may disclose protected health information reasonably related to a workers' compensation injury.

Except for the situations listed above and treatment, payment or health care operation purposes, the use or disclosure of your health information requires North Shore Orthopaedics to obtain your written authorization. You may withdraw your authorization in writing at any time by submitting your written withdrawal to North Shore Orthopedics' Privacy Officer. Revocation will not apply to information that has already been released in response to the authorization. Revocation will not apply to your insurance company when the law provides your insurer with the right to contest a claim under your policy.

Patient Complaint Process

If you believe your privacy rights have been violated, you may file a complaint with NSO or with the Secretary of the Department of Health and Human Services. There will be no retaliation against you for filing a complaint. To file a complaint with NSO please contact the NSO Privacy Officer who will provide you with the necessary assistance.

Questions or Concerns

If you have any questions or concerns regarding your privacy rights or the information in this notice, please contact:

Administrator
North Shore Orthopaedics
7545 N. Port Washington Road
Glendale, WI 53217-3422
414-351-3500
Fax Number: 414-351-9063

Effective Date: This Notice of Privacy Practice is effective as of May 12, 2003.