



# Universal Primary Care Notice of Privacy Practices

## **Your Information. Your Rights. Our Responsibilities.**

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This notice describes how Universal Primary Care shares your medical information, how your medical information may be used, disclosed, and how you can get access to this information. **Please review this document carefully.**

### **Your Rights: You have the right to:**

- Get a copy of your paper or electronic medical record & correct your paper or electronic medical record
- Request confidential communication
- Ask us to limit the information we share
- Get a list of those with whom we've shared your information
- Get a copy of this privacy notice at any time
- Choose someone to act for you
- File a complaint if you believe your privacy rights have been violated

### **Your Choices: You have some choices in the way that we use and share information as we:**

- Tell family and friends about your condition
- Provide disaster relief
- Provide mental health care
- Market our services and sell your information
- Raise funds

### **Our Uses and Disclosures: We may use and share your information as we:**

- Treat you and manage your care with value-based payment agreements
- Run our healthcare organization
- Bill for your services
- Help with public health and safety issues
- Do research
- Comply with the law
- Respond to organ and tissue donation requests
- Work with a medical examiner or funeral director
- Address workers' compensation, law enforcement, and other government requests
- Respond to lawsuits and legal actions

### **Your Rights: When it comes to your health information, you have certain rights. This section explains your rights and some of our responsibilities to help you.**

**Get an electronic or paper copy of your medical record:** You can ask to see or get an electronic or paper copy of your medical record and other health information we have about you. With a written request, we will provide a copy or a summary of your health information, usually within 30 days of your request. We may charge a reasonable, cost-based fee. If you make a request for access, exchange, or use of your electronic health information, we will respond without unreasonable delay. An electronic summary of your visit is printed for you at the end of your visit free of charge. In addition, if you are enrolled in the patient portal, your visit summary is posted to the portal free of charge. To request patient portal access, please call our office or ask at your visit.

**Ask us to correct your medical record:** You can ask us to correct health information about you that you think is incorrect or incomplete. Ask us how to do this. We may say "no" to your request, but we'll tell you why in writing within 60 days.

**Request confidential communications:** You can ask us to contact you in a specific way (for example, home or office phone) or to send mail to a different address. We will say "yes" to all reasonable requests.



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## **Ask us to limit what we use or share and get a list of those with whom we've shared information:**

- You can ask us not to use or share certain health information for treatment, payment, or our operations. We are not required to agree to your request, and we may say "no" if it would affect your care.
- If you pay for a service or health care item out-of-pocket in full, you can ask us not to share that information for the purpose of payment or our operations with your health insurer. We will say "yes" unless a law requires us to share that information.
- You can ask for a list (accounting) of the times we've shared your health information for six years prior to the date you ask, who we shared it with, and why. We will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures (such as any you asked us to make). We'll provide one accounting a year for free but will charge a reasonable, cost-based fee if you ask for another one within 12 months.

**Get a copy of this privacy notice:** You can ask for a paper copy of this notice at any time, even if you have agreed to receive the notice electronically. We will provide you with a paper copy promptly. A copy of this notice is also available on our UPC website at: [upchealth.net](http://upchealth.net)

**Choose someone to act for you:** If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information. We will make sure the person has this authority and can act for you before we take any action.

## **File a complaint if you feel your rights are violated:**

- You can complain if you feel we have violated your rights. We will not retaliate against you for filing a complaint.
- If you have any questions regarding UPC's Notice of Privacy Practices, think your privacy and security rights have been violated, or you disagree with a decision we made about your patient health information, you may file a complaint by contacting:
  - **Universal Primary Care:** Angela Langdon, Chief Operating Officer/ HIPAA Privacy and Security Officer, CHPSE. 135 North Union Street. Olean, N.Y. 14760. (716) 701-6828. [alangdon@upchealth.net](mailto:alangdon@upchealth.net).
  - **U.S. Department of Health and Human Services Office for Civil Rights:** 200 Independence Avenue, SW, Washington, D.C. 20201. 1-877-696-6775, [www.hhs.gov/ocr/privacy/hipaa/complaints/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/).

**Your Choices:** For certain health information, you can tell us your choices about what we share. If you have a clear preference for how we share your information in the situations described below, talk to us. Tell us what you want us to do, and we will follow your instructions. In these cases, you have both the right and choice to tell us to:

- Share information with your family, close friends, or others involved in your care
- Share information in a disaster relief situation

*If you are not able to tell us your preference, for example if you are unconscious, we may go ahead and share your information if we believe it is in your best interest. We may also share your information when needed to lessen a serious and imminent threat to health or safety.*



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In these cases, we never share your information unless you give us written permission:

- We never market or sell personal health information.
- Substance use disorder records- Limited disclosures: Substance Abuse Confidentiality Regulation in New York State: 42 CFR Part 2 applies to certain substance use disorder records. New York State law requires written consent for disclosure of HIV/AIDS-related health information.
- We do not use patient health information for fundraising efforts.

Our Uses and Disclosures: How do we typically use or share your health information?

We typically use or share your health information in the following ways:

- **Treat you:** We can use your health information and share it with other professionals who are treating you. *Example: A doctor treating you for an injury asks another doctor about your overall health condition.*
- **Run our organization:** We can use and share your health information to run our practice, improve your care, and contact you when necessary. *Example: We use health information about you to manage your treatment and services.*
- **Bill for your services:** We can use and share your health information to bill and get payment from health plans or other entities. *Example: We give information about you to your health insurance plan, so it will pay for your services.*
- **Health Information Exchange:** We can use and share your health information with other health care providers that may have access via the HIE.

**How else can we use or share your health information? We are allowed or required to share your information in other ways – usually in ways that contribute to the public good, such as public health and research. We must meet many conditions in the law before we can share your information for these purposes. For more information see: [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html).**

**Public health and safety issues:** We can share health information about you for certain situations such as:

- Preventing disease
- Helping with product recalls
- Reporting adverse reactions to medications
- Reporting suspected abuse, neglect, or domestic violence
- Preventing or reducing a serious threat to anyone's health or safety

**Do research:** We can use or share your information for health research.

**Comply with the law:** We will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we're complying with federal privacy law.

**Respond to organ and tissue donation requests:** We can share health information about you with organ procurement organizations.

**Work with a medical examiner or funeral director:** We can share health information with a coroner, medical examiner, or funeral director when an individual is deceased.

**Address workers' compensation, law enforcement, and other government requests:** We can use or share health information about you:



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- For workers' compensation claims
- For law enforcement purposes or with a law enforcement official
- With health oversight agencies for activities authorized by law
- For special government functions such as military, national security, and presidential protective services

**Respond to lawsuits and legal actions:** We can share health information about you in response to a court or administrative order, or in response to a subpoena.

### **Our Responsibilities:**

- We are required by law to maintain the privacy and security of your protected health information.
- We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.
- We must follow the duties and privacy practices described in this notice and give you a copy of it.
- We will not use or share your information other than as described here unless you tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you change your mind.

For more information see: [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html).

**Changes to the Terms of this Notice:** We can change the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available upon request, in our office, and on our web site.

**Effective Date:** The effective date of this Notice is: **November 8, 2021**