

Dr. Thomas Raetzsch, M.D.

NOTICE OF PRIVACY PRACTICES

Effective Date: April 14, 2003

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.

If you have any questions about this notice, please contact:

Thomas Raetzsch, M.D. - Privacy Officer:
1025 N. Austin Street
Seguin, Texas 78155

This Notice tells how this Practice, its physician(s), or other health care professionals who work under contract or under the direction of our Practice and our staff, may use and disclose medical information about you. Other personnel affiliated with our practice who are authorized to have access to your medical records, are subject to this notice. In addition, this Practice, in cooperation with other healthcare facilities, providers and/or insurance carriers may share medical information with each other for treatment, payment, or health care operations described in this notice. This Notice also describes your rights and our obligations regarding the use and disclosure of this information. Additionally, this Notice applies to all your records created and/or maintained by this Practice.

We understand that medical information about you and your health is personal. We are committed to protecting this information. Each time you visit our Practice, a record of the care and services you receive is made. Typically, this record contains your symptoms, examination and test results, diagnoses, treatment, plan for future care or treatment, and billing record. This record serves as a:

- basis for planning your care and treatment;
- means of communication among the many health care professionals who contribute to your care;
- means by which you or third-party payers (insurance) can verify that services billed were actually provided;
- tool for educating health professionals;
- source of information for public health officials; and
- tool for assessing and continually working to improve health care rendered.

Our Responsibilities:

This Practice shall:

- make every effort to maintain the privacy of your health information;
- provide you with notice of our legal requirements and privacy practices with respect to information we collect and maintain about you;
- abide by the terms of this **NOTICE OF PRIVACY PRACTICES**;
- accommodate reasonable requests you may have to communicate with you by alternative means or to different locations.

The Reasons Why We May Use and Disclose Medical Information About You:

Listed below are different ways we may use and disclose your medical information. Examples serve only as illustrations and do not include every possible use or disclosure.

- ❖ **For Treatment:** We will use and disclose your protected health information to provide, coordinate, or manage your health care services. For example, we may share your information with other specialists to whom you are referred for treatment.
- ❖ **For Payment:** We will use and disclose medical information about you so that you, your insurance company, or a third party may be billed for services. For example, we may need to disclose protected health information to a health plan (insurer) in order for your health plan to pay us for the services rendered to you. We may also tell your health plan about a treatment or procedure you are going to receive in order to obtain prior approval and to determine whether your plan will cover the expenses for the procedure.

- ❖ **For Health Care Operations:** We may use and disclose medical information about you for office operations. These uses and disclosures are necessary to run this Practice in an efficient manner and ensure that all patients receive quality care. For example, your medical records and health information may be used in the evaluation of health care services to determine appropriateness and quality of health care treatment. In addition, medical records are audited for documentation and billing purposes.
- ❖ **For Appointment Reminders:** We may use and disclose medical information in order to remind you of an appointment. For example the Practice may send you a written notice or telephone reminder that your next appointment is coming up.
- ❖ **As Required by Law:** We will disclose medical information about you when required to do so by federal or Texas laws or regulations.
- ❖ **For Research:** Under certain circumstances, we may use and disclose medical information about you for research purposes. For example, a research project may involve comparing the health and recovery of patients who received one medication to those who received another medication for the same condition. All research projects are subject to a special approval process. We will ask for your specific permission if the researcher will have access to your name, address, or other information that reveals who you are.
- ❖ **To Avert a Serious Threat to Health or Safety:** We may use and disclose medical information about you to medical or law enforcement personnel to prevent a serious threat to your health and safety or the health and safety of the public or another person.
- ❖ **For Distribution of Health Care Information and/or Marketing:** This Practice does not share patient's health information with outside firms for product marketing. We may use certain information (name, address, telephone number, dates of service, age, and gender) to send you information about the Practice's health programs, services, and growth. If you do not wish to receive this information, please write to the Practice Manager whose address is listed on the front page of this notice.

Special Situations:

- ❖ **Organ and Tissue Donation:** If you have indicated in writing your desire to be an organ donor, we may release medical information to organizations that handle procurement of organs, eyes, or tissue transplantations.
- ❖ **Military and Veterans:** If you are or were a member of the armed forces, we may release medical information about you as required by military or other authorities.
- ❖ **Workers' Compensation:** We may release medical information about you for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.
- ❖ **Qualified Personnel:** We may disclose medical information for management audit, financial audit, or program evaluation. The personnel involved in these operations may not identify you in any report, audit, or evaluation, or otherwise disclose your identify in any way.
- ❖ **Law Enforcement:** We may release medical information if asked by a law enforcement official or required by a court order or subpoena. We may release information if we determine that there is a probability of imminent physical injury to you or to another person, or immediate mental or emotional injury to you. [This paragraph may not apply to very specific patients who are Practice Patients under particular and specific circumstances.]
- ❖ **Physician Sale of Practice:** We may use and disclose medical information about you to another physician or healthcare facility in the sale, transfer, merger, or consolidation of this physician's practice.
- ❖ **Public Health Risks:** We may disclose medical information about you for public health activities. These activities generally include the following:
 - To prevent or control disease, injury, or disability;
 - To report births and deaths;
 - To report child abuse or neglect;
 - To report reactions to medications or problems with products;
 - To notify people of recalls of products they may be using;
 - To notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition;
 - To notify the appropriate governmental authority if we believe a patient has been the victim of abuse, neglect, or domestic violence.

All such disclosures will be made in accordance with the requirements of Texas and federal laws and regulations.

- ❖ **Health Oversight Activities:** We may disclose medical information to a health oversight agency for specific activities. Health oversight agencies are authorized by law to oversee the health care system. For example, an oversight agency may perform

audits, investigations, inspections, and evaluations for licensure. These activities are necessary for the government to monitor government programs, eligibility or compliance, and to enforce health-related civil rights and criminal laws.

- ❖ **Lawsuits and Disputes:** If you are involved in a lawsuit or in administrative disputes, we may disclose medical information about you in response to court or administrative orders.
- ❖ **Coroners, Medical Examiners and Funeral Directors:** We may release medical information to a coroner or medical examiner when authorized by law (e.g., to identify a deceased person or determine the cause of death). We may also release medical information about patients to funeral directors.
- ❖ **Inmates:** If you are an inmate of a correctional facility, we may release medical information about you to the correctional facility so that the facility can provide you with treatment.

Your Rights Regarding Your Medical Information:

You have the following rights concerning your medical information.

- ❖ **Right to Inspect and Copy:** You have the right to inspect and copy medical information that may be used to make decisions about your care. This includes medical and billing records, but does not include psychotherapy notes. You must submit a request in writing to the Practice Manager and/or this office's Privacy Officer if you wish to inspect and copy medical information that may be used to make decisions about you. If you request a copy of the information, this Practice may charge you a fee for copying, mailing, or summarizing your medical records. You must submit a written request if you wish to view your psychotherapy notes.

We may deny your request to inspect and copy your records because of special circumstances. If you are denied access to medical information including psychotherapy notes, you may request that we review our denial. Another licensed health care professional chosen by this Practice will review your request and our denial. The person conducting the review will not be the person who denied your initial request. This Practice will comply with the outcome of the review.

- ❖ **Right to Amend:** If you feel that medical information maintained about you is incorrect or incomplete, you may ask the Practice to amend the information. You have the right to request an amendment of your information for as long as the information is kept by the Practice.

To request an amendment, your request must be made in writing and submitted to the Practice Manager and/or Privacy Officer of this Practice. In addition, you must provide a reason to support your request.

We may deny your request to amend your medical records if your request is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that:

- Was not created by this Practice unless the person (doctor) or other health care entity that created the information is no longer available to make the amendment for you;
- Is not part of the medical information about you kept by the Practice;
- Is not part of the information which you would be permitted to inspect and copy; or
- Is accurate and complete as is.

- ❖ **Right to Accounting of Disclosures:** You have the right to request an accounting of disclosures of your medical information made by the Practice for purposes other than treatment, payment, or health care operations.

To request this accounting, you must submit your request in writing to the Practice Manager and/or Privacy Officer of this Practice. Your request must state how long a period of time you wish the accounting to cover. The accounting cannot exceed a period of six (6) years beginning April 14, 2003. Your request should indicate in what format you want the accounting (paper or electronically). The first accounting you request within a 12-month period will be free. You may be charged for additional accountings within the same 12-month period. We will notify you of the cost so that you may choose to withdraw or modify your request if costs seem excessive.

- ❖ **Right to Request Restrictions:** You have the right to request a restriction or limitation on the medical information the Practice uses or discloses for your treatment, payment or health care. You also have the right to request a limit on the medical information the Practice discloses about you to someone outside the Practice for care or payment. **This Practice is not required to agree to your request.** Should this Practice agree to your request, we will comply with your request unless the information is needed to provide you emergency treatment.

To request restrictions, you must make your request in writing to the Practice Manager and/or Privacy Officer of this Practice. In your request, you must indicate:

1. what information you want to limit;
2. whether you want to limit your information for our own use and disclosure;
3. to whom you want the limits to apply.

- ❖ **Right to Request Confidential Communications:** You have the right to request that this Practice communicate with you about medical matters in a certain way or at a certain location. For example, you can ask that this Practice contact you only at work or by mail.

If you want to request that we communicate with you in a certain manner, you must make your request in writing to the Practice Manager and/or Privacy Officer of this Practice. You do not have to state a reason for your request. We will accommodate all reasonable requests. Your request must specify how or where you wish the communication to be directed.

- ❖ **Right to Question Your Bill and Billing Procedures:** If you wish your bill sent to another address, or if you have questions regarding your bill and the Practice's billing procedures, you may direct your questions and concerns to this Practice's Office Manager.

Changes to This Notice:

We reserve the right to change our practices and to make new provisions effective for all the protected health information we maintain. Should our information practices change, we will post the amended **NOTICE OF PRIVACY PRACTICES** in the office waiting area and on our website (if applicable). You may request that a copy be provided to you by contacting the Practice Manager and/or Privacy Officer of this Practice.

Complaints:

If you believe your privacy rights have been violated, you may file a complaint with the Practice Manager and/or Privacy Officer of this Practice or with the Office for Civil Rights, U.S. Department of Health and Human Services.

To file a complaint with this Practice, contact:

Thomas Raetzsch, M.D. – Privacy Officer
1025 N. Austin Street
Seguin, Texas 78155
(830) 379-1184

All complaints to the Office for Civil Rights should be submitted in writing.
The address for the Office of Civil Rights is:

Office for Civil Rights
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Room 509F, HHH Building
Washington, D.C. 20201

Your complaint must be filed within 180 days of when you knew or should have known that the act occurred.

You will NOT be penalized for filing a complaint.