

## ONE HOMECARE SOLUTIONS, LLC.

### NOTICE OF PRIVACY PRACTICES

Effective Date: January 1, 2019

**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.**

#### **PURPOSE**

One Homecare Solutions, which includes One Nursing Care, One Infusion Pharmacy, One Home Medical Equipment (Collectively "ONE" for the purposes of this Notice) is required by law to maintain the privacy of your health information in accordance with federal and state law. This Notice of Privacy Practices ("Notice") outlines our legal duties and privacy practices with respect to health information. We are required by law to provide you with a copy of this Notice and to notify you following a breach of your/your family member's unsecured health information.

We will abide by the terms of the Notice. We reserve the right to make changes to this Notice as permitted by law. We reserve the right to make the new Notice provisions effective for all health information we currently maintain, as well as any health information we receive in the future. If we make material or important changes to our privacy practices, we will promptly revise our Notice. Each version of the Notice will have an effective date listed on the first page. If we change this Notice, you can access the revised Notice on our website ([onehomecaresolutions.net](http://onehomecaresolutions.net)) or from your Care Coordinator.

#### **USES AND DISCLOSURES OF YOUR HEALTH INFORMATION**

**The following categories describe the ways that we may use and disclose your/your family member's health information without your written authorization.**

**Treatment.** We may use and disclose your/your family member's health information to provide medical treatment and services. For example, the health information may be disclosed to physicians, a home health agency, or other ONE team members, who are involved in the care to coordinate or manage your/your family member's health care services or to facilitate consultations or referrals as part of the treatment.

**Payment.** We may use and disclose the health information to obtain payment for the services we provide to you/your family member. For example, we may disclose the health information to seek payment from your insurance company or from another third party. We may also inform your insurance company about a treatment you/your family member are going to receive so that we may obtain prior approval for the treatment or in order to determine whether your insurance company will cover the cost of the treatment.

**Health Care Operations.** We may use and disclose your/your family member's health information to conduct certain of our business activities, which are called health care operations.

These uses, and disclosures are necessary to run our business and make sure our patients receive quality care. For example, we may use your health information for quality assessment activities, necessary credentialing, and for other essential activities. We may also disclose your/your family member's health information to third party "business associates" that perform various services on our behalf such as billing and client data collection. In these cases, we will enter into a written agreement with the business associates to ensure they protect the privacy of the health information.

**Family Members and Friends for Care and Payment and Notification.** If you verbally agree to the use or disclosure and in certain other situations, we may make the following uses and disclosures of your/your family member's health information. We may disclose certain health information to your family, friends, and anyone else whom you identify as involved in your health care or who helps pay for your/your family member's care; the health information we disclose would be limited to the health information that is relevant to that person's involvement in the care or payment for your/your family member's care. We may use or disclose the information to notify or assist in notifying a family member, personal representative, or any other person responsible for your/your family member's care regarding your location, general condition, or death. We may also use or disclose the health information to disaster-relief organizations so that your family or other persons responsible for your/your family member's care can be notified about your/your family member's condition, status, and location.

**Required by Law.** We may disclose your/your family member's health information when required by law to do so.

**Public Health Reporting.** We may disclose your/your family member's health information to public health agencies as authorized by law. For example, we may report certain communicable diseases to the state's public health department.

**Reporting Victims of Abuse or Neglect.** We may disclose health information to the appropriate government authority if we believe you/your family member has been the victim of abuse, neglect, or domestic violence. We only make this disclosure if you agree or when we are required or authorized by law to make the disclosure.

**Health Care Oversight.** We may disclose the health information to authorities and agencies for oversight activities allowed by law, including audits, investigations, inspections, licensure and disciplinary actions, or civil, administrative, and criminal proceedings, as necessary for oversight of the health care system, government programs, and civil rights laws.

**Legal Proceedings.** We may disclose your/your family member's health information in the course of certain administrative or judicial proceedings. For example, we may disclose your/your family member's health information in response to a court order.

**Law Enforcement.** We may disclose your/your family member's health information to a law enforcement official for certain specific purposes, such as reporting certain types of injuries.

**Research.** Under certain circumstances, we may disclose your/your family member's health information to researchers who are conducting a specific research project. For certain research activities, an Institutional Review Board (IRB) or Privacy Board may approve uses and disclosures of your/your family member's health information without your authorization.

**To Avert a Serious Threat to Health or Safety.** If there is a serious threat to your/your family member's health and safety or the health and safety of the public or another person, we may use and disclose your/your family member's health information in a very limited manner to someone able to help lessen the threat.

**Specialized Government Functions.** In certain circumstances, HIPAA authorizes us to use or disclose your health information to authorized federal officials for the conduct of national security activities and other specialized government functions.

**Please be aware that state and other federal laws may have additional requirements that we must follow or may be more restrictive than HIPAA on how we use and disclose certain of your health information. If there are specific more restrictive requirements, even for some of the purposes listed above, we may not disclose your health information without your written permission as required by such laws. For example, we will not disclose your developmental disability information without obtaining your written permission, except as permitted by state law. We may also be required by law to obtain your written permission to use and/or disclose your mental illness, alcohol or drug abuse treatment records, HIV, STD, or other communicable disease related information, or your genetic test results.**

## **OTHER USES AND DISCLOSURES**

Disclosure of your health information or its use for any purpose other than those listed above requires your specific written authorization. Some examples include:

- **Home Care Visit Notes:** We will not use and disclose your home care visit notes without your written authorization except as otherwise permitted by law.
- **Marketing:** We will not use or disclose your/your family member's health information for marketing purposes without your written authorization except as otherwise permitted by law.
- **Sale of Your Health Information:** We will not sell your/your family member's health information without your written authorization except as otherwise permitted by law.

If you change your mind after authorizing a use or disclosure of your/your family member's health information, you may withdraw your permission by revoking the authorization. However, your decision to revoke the authorization will not affect or undo any use or disclosure of your health information that occurred before you notified us of your decision, or any actions that we have taken based upon your authorization. To revoke an authorization, you must notify us in writing at ONE, Attention: Privacy Officer, 3010 Corporate Way, Miramar, FL 33025.

## **YOUR RIGHTS REGARDING YOUR PROTECTED HEALTH INFORMATION**

This section describes your rights regarding the health information we maintain about you. All requests or communications to us to exercise your rights discussed below must be submitted **in writing** to One Homecare Solutions, LLC (ONE), Attention: Privacy Officer, 3010 Corporate Way, Miramar, FL 33025.

**Right to Request Restrictions.** You have the right to request restrictions on how your health information is used or disclosed for treatment, payment, or health care operations activities. However, we are not required to agree to your requested restriction, unless that restriction is regarding disclosure of health information to your health insurance company and: (1) the disclosure is for the purpose of carrying out payment or health care operations and is not otherwise required by law; and (2) the health information pertains solely to a healthcare item or service for which you or another person (other than your health insurance company) paid for in full. If we agree to your requested restriction, we will comply with your request unless the information is needed to provide you emergency treatment.

**Right to Request Confidential Communications.** You have the right to request that we communicate your health information to you in a certain manner or at a certain location. For example, you may wish to receive information about your health status through a written letter sent to a private address. We will grant reasonable requests. We will not ask you the reason for your request.

**Right to Inspect and Copy.** You have the right to inspect and receive a copy of your/your family member's health information. We may charge you a fee as authorized by law to meet your request. You may request access to the health information in a certain electronic form and format, if readily producible, or, if not readily producible, in a mutually agreeable electronic form and format. Further, you may request in writing that we transmit such a copy to any person or entity you designate. Your written, signed request must clearly identify such designated person or entity and where you would like us to send the copy.

We may deny your request to inspect and copy in certain very limited circumstances. If you are denied access to your health information, you may request that the denial be reviewed by a licensed health care professional chosen by us. The person conducting the review will not be the person who denied your request. We will comply with the outcome of the review.

**Right to Amend.** You have a right to request that we amend or correct your/your family member's health information that you believe is incorrect or incomplete. For example, if your date of birth is incorrect, you may request that the information be corrected. To request a correction or amendment to the health information, you must make your request in writing and provide a reason for your request. You have the right to request an amendment for as long as the information is kept by or for us. Under certain circumstances we may deny your request. If your request is denied, we will provide you with information about our denial and how you can file a written statement of disagreement with us that will become part of your/your family member's medical record.

**Right to an Accounting of Disclosures.** You have the right to request an accounting of disclosures we make of your/your family member's health information. Please note that certain disclosures need not be included in the accounting we provide to you. Your request must state a time period which may not go back further than six years. You will not be charged for this accounting, unless you request more than one accounting per year, in which case we may charge you a reasonable cost-based fee for providing the additional accounting(s). We will notify you of the costs involved and give you an opportunity to withdraw or modify your request before any costs have been incurred.

**Right to a Paper Copy of This Notice.** You have the right to receive a paper copy of this Notice at any time, even if you previously agreed to receive this Notice electronically. A paper copy of this Notice can be obtained from the receptionist at any ONE site and is also available at our website at <http://onehomecaresolutions.net/>.

## COMPLAINTS

You have the right to file a complaint if you believe your privacy rights have been violated. If you would like to file a complaint about our privacy practices, you can do so by sending a letter outlining your concerns to: ONE, Privacy Officer, 3010 Corporate Way, Miramar, FL 33025 or by contacting our Privacy Officer at 855-441-6900 x212. You also have the right to complain to the Secretary of the United States Department of Health and Human Services. **You will not be penalized or otherwise retaliated against for filing a complaint.**

## CONTACT INFORMATION

If you have questions or concerns about your/your family member's privacy rights, or the information contained in this Notice, please contact ONE, using the information provided in the previous section.