

**NOTICE OF PRIVACY PRACTICES FOR PROTECTED HEALTH INFORMATION
EFFECTIVE APRIL, 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 the:

Privacy Officer

Torrance Memorial Medical Center

3330 Lomita Boulevard

Torrance, CA 90505

(310) 325-9110

privacy.officer@tmmc.com

WHO WILL FOLLOW THIS NOTICE:

This notice describes our hospital's practices and that of:

- Any health care professional authorized to enter information into your hospital chart;
- All departments and units of the **Torrance Memorial Medical Center**;
- Any member of a volunteer group we allow to help you while you are in the hospital;
- All employees, staff, and other hospital personnel and students.

All these entities, sites and locations follow the terms of this notice. In addition, these entities, sites and locations may share medical information with each other for treatment, payment or hospital operations purposes described in this notice.

OUR PLEDGE REGARDING MEDICAL INFORMATION:

We understand that medical information about you and your health is personal. We are committed to protecting medical information about you. We create a record of the care and services you receive at **Torrance Memorial Medical Center**. We need this record to provide you with quality care and to comply with certain legal requirements. This notice applies to all of the records of your care generated by the hospital, whether made by hospital personnel or your personal doctor. Your personal doctor may have different policies or notices regarding the doctor's use and disclosure of your medical information created in the doctor's office or clinic.

This notice will tell you about the ways in which **Torrance Memorial Medical Center** may use and disclose medical information about you. We also describe your rights and certain obligations we have regarding the use and disclosure of medical information.

We are required by law to:

- make sure that medical information that identifies you is kept private (with certain exceptions);
- give you this notice of our legal duties and privacy practices with respect to medical information about you; and,
- follow the terms of this notice.

HOW WE MAY USE AND DISCLOSE MEDICAL INFORMATION ABOUT YOU:

The following categories describe different ways that we use and disclose medical information. For each category of uses or disclosures we will explain what we mean and try to give some examples. Not every use or disclosure in a category will be listed. However, all of the ways we are permitted to use and disclose information will fall within one of the categories.

Disclosure at Your Request.

We may disclose information when requested by you. You must submit your request in writing utilizing the "Authorization for the Use or Disclosure of PHI" HIPAA Form # 17 to the Health Information Management Department.

For Treatment

We may use medical information about you to provide you with medical treatment or services. We may disclose medical information about you to doctors, nurses, technicians, students, or other hospital personnel who are involved in taking care of you at the hospital. **For example**, a doctor treating you for a broken leg may need to know if you have diabetes because diabetes may slow the healing process. In addition, the doctor may need to tell the dietitian if you have diabetes so that we can arrange for appropriate meals. Different departments of the hospital also may share medical information about you in order to coordinate the different things you need, such as prescriptions, lab work and x-rays. We also may disclose medical information about you to people outside the hospital who may be involved in your medical care after you leave the hospital, such as family members, clergy or others (skilled nursing facilities, home health agencies, transport companies, community agencies, physicians or other practitioners/agencies) we use to provide services that are part of your care. This information is stored in the hospital's computer system and is accessible via a secured network and/or interface transmission to authorized healthcare providers in order to make sure they have your information as quickly as possible to treat you.

For Payment.

We may use and disclose medical information about you so that the treatment and services you receive at the hospital may be billed to and payment may be collected from you, an insurance company or a third party. **For example**, we may need to give your health plan information about surgery you received at the hospital so your health plan will pay us or reimburse you for the surgery. We may also tell your health plan about a treatment you are going to receive to obtain prior approval or to determine whether your plan will cover the treatment. We may also provide basic information about you and your health plan, insurance company or other source of payment to practitioners outside the hospital who are involved in your care, to assist them in obtaining payment for service they provide you.

For Health Care Operations.

We may use and disclose medical information about you for hospital operations. These uses and disclosures are necessary to run the hospital and make sure that all of our patients receive quality care. **For example**, we may use medical information to review our treatment and services and to evaluate the performance of our staff in caring for you. We may also combine medical Hospital

For Health Care Operations – continued

information about many hospital patients to decide what additional services the hospital should offer, what services are not needed, and whether certain new treatments are effective.

We may also disclose information to doctors, nurses, technicians, students, and other hospital or healthcare personnel for review, performance improvement and educational purposes. We may also combine the medical information we have with medical information from other hospitals to compare how we are doing and see where we can make improvements in the care and services we offer. We may remove information that identifies you from this set of medical information so others may use it to study health care and health care delivery without learning who the specific patients are. We may share your Protected Health Information with third parties who perform services for us such as transcription or billing. In these cases, we have written agreements with the third parties that they will not use or disclose your information for any other purpose except as required by law.

Health Information Exchange (HIE):

Torrance Memorial may make your individual health information available to a Torrance Memorial sponsored Health Information Exchange (HIE) and to a regional and/or National Health Information Exchange including, but not limited to, the National Health Information Network (NHIN). A HIE is the electronic transmission of healthcare-related information among facilities, health information organizations and government agencies which provides a mechanism for healthcare providers to share information electronically, with the common goal to improve healthcare delivery and the quality of care for our patients while protecting the privacy and security of Health Information. **For example**, we will be sharing your health information with our Accountable Care Organization (ACO). If you received treatment in our hospital over the weekend and you were following up with your regular physician in their office the following week; your physician, who may be a participant in our ACO, would be able to access and review the treatment you received at the hospital during your physician office visit. Your physician will have access to the most current information about your care and treatment.

Accountable Care Organizations (ACO) are organizations formed by groups of doctors and health care providers that have agreed to work together to improve care coordination and providing care that is appropriate, safe and timely. An ACO must meet quality standards set by the Centers of Medicare Medicaid Services (CMS) relating to care coordination and patient safety, appropriate use of preventative health services, improved care for at-risk populations, and patient and caregiver experience of care.

Appointment Reminders.

We may use and disclose medical information to contact you as a reminder that you have an appointment for treatment or medical care at the hospital. If you do not want the **Medical Center** to contact you, you must complete a “**Request for Special Restriction on the Use or Disclosure of PHI**” HIPAA Form #6.

Treatment Alternatives.

We may use and disclose medical information to tell you about or recommend possible treatment options or alternatives that may be of interest to you.

Notification of Hospital Programs and Classes.

We may use your medical information to tell you about health improvement related programs, benefits or services which are offered only at **Torrance Memorial Medical Center** and may be of interest to you. If you do not want the **Medical Center** to contact you, you must complete a **“Request for Special Restriction on the Use or Disclosure of PHI”** HIPAA Form #6.

Fundraising Activities.

The **HealthCare Foundation of the Torrance Memorial Medical Center** was established to raise funds to support the mission of the Medical Center. The foundation may use demographic information (such as your name, address, phone number and dates of treatment or services at Torrance Memorial Medical Center, service department and treating physician) to contact you about fundraising opportunities and events for Torrance Memorial Medical Center. You have the right to opt out of receiving fundraising communications. If you do not want the Foundation to notify you of these opportunities, you must complete a **“Request for Restriction on the Manner of Confidential Communication”** HIPAA Form #5. If you receive a fundraising communication, it will inform you on how to opt out.

Marketing and Sale.

Most uses and disclosures of medical information for marketing purpose, and disclosures that constitute a sale of medical information require your authorization.

Hospital Patient Census.

We may include certain limited information about you in the hospital census (directory) while you are a patient at the hospital. This information may include your name, location in the hospital, your general condition (e.g., fair, stable, etc.) and your religious affiliation. Unless there is a specific written request from you to the contrary, this information, except for your religious affiliation, may also be released to people who ask for you by name. Your religious affiliation may be given to a member of the clergy, such as a priest or rabbi, even if they don't ask for you by name. This information is released so your family, friends and clergy can visit you in the hospital and generally know how you are doing. If you wish a restriction on this information, you must complete a **“Request for Special Restriction on the Use or Disclosure of PHI”** HIPAA Form #6.

Individuals Involved in Your Care or Payment for Your Care.

We may release medical information about you to a friend or family member who is involved in your medical care. We may also give information to someone who helps pay for your care. Unless you complete a **“Request for Special Restriction on the Use or Disclosure of PHI”** HIPAA Form #6, we may also tell your family or friends your condition and that you are in the hospital. In addition, we may disclose medical information about you to an entity assisting in a disaster relief effort so that your family can be notified about your condition, status and location.

Individuals Involved in Your Care or Payment for Your Care – continued

If you arrive at the emergency department either unconscious or otherwise unable to communicate, we are required to attempt to contact someone we believe can make health care decisions for you (e.g., a family member or agent under a health care power of attorney).

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 all patients who received one medication to those who received another, for the same condition. All research projects, however, are subject to a special approval process. This process evaluates a proposed research project and its use of medical information, trying to balance the research needs with patients' need for privacy of their medical information. Before we use or disclose medical information for research, the project will have been approved through this research approval process, but we may, however, disclose medical information about you to people preparing to conduct a research project, for example, to help them look for patients with specific medical needs, so long as the medical information they review does not leave the hospital.

Business Associates:

We may use and disclose medical information about you to contracted services provided by business associates so they can perform a job we have asked them to do. To protect your medical information we require business associates to appropriately safeguard your information. **For example**, we may disclose your medical information to a transcription service to transcribe dictated reports from health professionals caring for you in the hospital, copy services for making copies of your health record or to a billing service to submit your claim to the insurance company for payment.

As Required By Law.

We will disclose medical information about you when required to do so by federal, state or local law.

To Avert a Serious Threat to Health or Safety.

We may use and disclose medical information about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat.

SPECIAL SITUATIONS:

Organ and Tissue Donation.

If you are an organ donor, we may release medical information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation.

Community Education:

If you participate in a community education program, seminar or workshop, we may call you to discuss your appointment or payment options for the program, discuss your Protected Health Information during the training program, and mail you information about the programs we offer. If you do not want any of these to occur, please fill out either the **“Request for Restriction on the Manner of Confidential Communication”** HIPAA Form #5 or the **“Request for Special Restriction on the Use or Disclosure of PHI”** HIPAA Form #6 and give it to the staff of the Community Education Service.

Outpatient Rehabilitation:

If you are part of a rehabilitation program, we may call you to discuss your appointment or treatment, we may mail you a notice of upcoming events, and we may have open discussions in the treatment area which could include some of your Protected Health Information (PHI). If you do not want any of these to occur, please fill out the **“Request for Special Restriction on the Use or Disclosure of PHI”** HIPAA Form #6 and give it to the staff of the rehabilitation service.

Military and Veterans.

If you are a member of the armed forces, we may release medical information about you as required by military command authorities. We may also release medical information about foreign military personnel to the appropriate foreign military authority.

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.

Public Health Reporting.

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 the abuse or neglect of children, elders and dependent adults;
- 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 government authority if we believe a patient has been the victim of abuse, neglect or domestic violence. We will only make this disclosure if you agree or when required or authorized by law; and
- to notify emergency response employees regarding possible exposure to HIV/AIDS, to the extent necessary to comply with state and federal laws.

Health Oversight Activities.

We may disclose medical information to a health oversight agency for activities authorized by law. **For example**, these oversight activities may include audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.

Lawsuits and Disputes.

If you are involved in a lawsuit or a dispute, we may disclose medical information about you in response to a court or administrative order. We may also disclose medical information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you or your attorney about the request (which may include written notice to you). You may then obtain a motion to protect your information.

Law Enforcement.

We may release medical information if asked to do so by a law enforcement official:

- in response to a court order, subpoena, warrant, summons or similar process;
- to identify or locate a suspect, fugitive, material witness, or missing person;
- about the victim of a crime if, under certain limited circumstances, we are unable to obtain the person's agreement;
- about a death we believe may be the result of criminal conduct;
- about criminal conduct at the hospital; and,
- in emergency circumstances to report a crime; the location of the crime or victims; or the identity, description or location of the person who committed the crime.

Coroners, Medical Examiners and Funeral Directors.

We may release medical information to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. We may also release medical information about patients of the hospital to funeral directors as necessary to carry out their duties.

National Security and Intelligence Activities.

We may release medical information about you to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.

Protective Services for the President and Others.

We may disclose medical information about you to authorized federal officials so they may provide protection to the President, other authorized persons or foreign heads of state or conduct special investigations.

Inmates.

If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may release medical information about you to the correctional institution or law enforcement official. This release would be necessary (1) for the institution to provide you with health care; (2) to protect your health and safety or the health and safety of others; or (3) for the safety and security of the correctional institution.

Multidisciplinary Personnel Teams

We may disclose health information to a multidisciplinary personnel team relevant to the prevention, identification, management or treatment of an abused child and child's parent, or elder abuse and neglect.

Special Categories of Information

In some circumstances, your health information may be subject to restrictions that may limit or preclude some uses or disclosures described in this notice. **For example**, there are special restrictions on the use or disclosure of certain categories of information - e.g. tests for HIV or treatment for mental health conditions or alcohol and drug abuse. Government health benefit programs, such as Medi-Cal, may also limit the disclosure of beneficiary information for purposes unrelated to the program.

YOUR RIGHTS REGARDING MEDICAL INFORMATION ABOUT YOU:

You have the following rights regarding medical information we maintain about you:

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. Usually, this includes medical and billing records, but may not include some mental health information. To inspect and obtain a copy of medical information that may be used to make decisions about you, you must submit your request in writing utilizing the **“Authorization for the Use or Disclosure of PHI”** HIPAA Form #17 to the **Health Information Management Department**. If you request a copy of the information, we may charge a fee for the costs of copying, mailing or other supplies associated with your request. We may deny your request to inspect and copy in certain very limited circumstances. If you are denied access to medical information, you may request that the denial be reviewed. Another licensed health care professional chosen by the hospital will review your request and the denial. 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.

If you feel that medical information we have about you is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by or for the hospital. To request an amendment, your request must be made in writing utilizing the **“Request to Amend PHI”** HIPAA Form #8 and submit it to the **Health Information Management Department**. In addition, you must provide a reason that supports your request.

Right to Amend – continued

We may deny your request for an amendment if it 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 us. **Exception:** if the person who created the information is unavailable to act on your request to amend it, we may consider your request if we can verify this information. **For example,** the doctor who originally created the information has died and you have no other way to obtain the amendment;
- is not part of the medical information kept by or for the hospital;
- is not part of the information which you would be permitted to inspect and copy; or
- is accurate and complete.

Even if we deny your request for amendment, you have the right to submit a written addendum, (to Health Information Management) not to exceed 250 words, with respect to any item or statement in your record you believe is incomplete or incorrect. If you clearly indicate in writing that you want the addendum to be made part of your medical record we will attach it to your records and include it whenever we make a disclosure of the item or statement you believe to be incomplete or incorrect.

Right to an Accounting of Disclosures.

You have the right to request an accounting of disclosure by completing the “**Request for an Accounting of Disclosures**” HIPAA Form #3. This is a list of the disclosures we made of medical information about you other than our own uses for treatment, payment and health care operations, as those functions are described above.

To request this list or accounting of disclosures, you must submit your request in writing to the **Health Information Management Department**. Your request must state a time period which may not be longer than six years and may not include dates before April 14, 2003. Your request should indicate in what form you want the list (for example, on paper or electronically). The first list you request within a 12 month period will be free. For additional lists, we may charge you for the costs of providing the list. We will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred.

In addition, we will notify you as required by law if your health information is unlawfully accessed or disclosed.

Right to Request Restrictions.

You have the right to request a restriction or limitation on the medical information we use or disclose about you for treatment, payment or health care operations. You also have the right to request a limit on the medical information we disclose about you to someone who is involved in your care or the payment for your care, like a family member or friend. **For example,** you could ask that we not use or disclose information about a surgery you had. *We are not required to agree to your request,* except to the extent that you request us to restrict disclosure to a health plan or insurer for payment or health care operations purposes if you, or someone

Right to Request Restrictions – continued

else on your behalf (other than the health plan or insurer), has paid for the item or service out of pocket in full. Even if you request this special restriction, we can disclose the information to a health plan or insurer for purposes of treating you. If we do agree, we will comply with your request unless the information is needed to provide you emergency treatment.

To request restrictions, you must make your request by utilizing the **“Request for Special Restriction on the Use or Disclosure of PHI”** HIPAA Form #6 and submit it to the **Health Information Management Department**. (If you are being admitted, it will be placed in your medical record). In your request, you must tell us (1) what information you want to limit; (2) whether you want to limit our use, disclosure or both; and (3) to whom you want the limits to apply, for example, disclosures to your spouse.

Right to Request Confidential Communications.

You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. **For example**, you can ask that we only contact you at work or by mail. To request confidential communications, you must make your request in writing by completing the **“Request for Restriction on the Manner of Confidential Communication”** HIPAA Form #5 and submit it to the **Health Information Management Department**. (If you are being admitted, it will be placed in your medical record). We will not ask you the reason for your request. We will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

Right to a Paper Copy of This Notice.

You have the right to a paper copy of this notice. You may ask us to give you a copy of this notice at any time. You may obtain a copy of this notice at our website, www.torrancememorial.org. If you received this notice via email or reviewed it on our website, you are still entitled to a paper copy of this notice.

Acknowledgement of Receipt of Notice of Privacy Practices.

After reading this Notice online, please print out the **“Acknowledgement of Receipt of Notice of Privacy Practices”** HIPAA Form #2, sign the document and bring it into the hospital with you at your next visit.

CHANGES TO THIS NOTICE:

We reserve the right to change this notice. We reserve the right to make the revised or changed notice effective for medical information we already have about you as well as any information we receive in the future. We will post a copy of the current notice in the hospital. The notice will contain on the first page, in the top right-hand corner, the effective date. In addition, each time you register at or are admitted to the **Torrance Memorial Medical Center** for treatment or health care services as an inpatient or outpatient, we will have a copy of the current notice in effect available to you.

COMPLAINTS:

If you believe your privacy rights have been violated, you may file a complaint with the hospital or with the Secretary of the Department of Health and Human Services. To file a complaint with the hospital, contact our **Privacy Officer, 310-517-4721**. All complaints must be submitted in writing and may be emailed to privacy.officer@tmmc.com. **You will not be penalized for filing a complaint.**

OTHER USES OF MEDICAL INFORMATION:

Other uses and disclosures of medical information not covered by this notice or the laws that apply to us will be made only with your written permission. If you provide us permission to use or disclose medical information about you, you may revoke that permission, in writing, at any time. If you revoke your permission, we will no longer use or disclose medical information about you for the reasons covered by your written authorization. You understand that we are unable to take back any disclosures we have already made with your permission, and that we are required to retain our records of the care that we provided to you.