



ABC Pediatrics

Privacy Policy

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOUR CHILD, THAT CAN BE IDENTIFIED WITH YOUR CHILD, MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW CAREFULLY.

ABC PEDIATRICS is required by law to maintain the privacy and confidentiality of your child's protected health information (PHI) and to provide patients with notice of our legal duties and privacy practices with respect to your child's PHI. We may use and disclose your health care information in the following ways without specific authorization:

TREATMENT We may disclose your child's PHI to other healthcare professionals within our practice for the purpose of treatment, payment or healthcare operations. Many of the people who work within the practice including but not limited to our doctors and assistants, may use your PHI in order to treat you or to help others in your treatment. We may disclose your PHI to others who may assist in your care, such as healthcare providers outside of the practice, or to a spouse or child, or a parent who is involved in your care.

PAYMENT We may disclose your child's PHI to your insurance provider for the purpose of payment or healthcare operations. *For example: We may contact your health insurer to certify that you are eligible for benefits and we may disclose your treatment plan to determine if your insurer will pay for treatment. Our practice may submit an itemized billing statement to your insurance carrier for the purpose of payment for services rendered. If you pay for your health care services personally, we may provide an itemized billing statement to your insurance carrier for the purpose of reimbursement to you, **unless you request otherwise**. If you request that your insurance not be notified of the services that you have paid out of pocket for, we take every reasonable precaution to avoid their notification.*

OPERATIONS ABC Pediatrics could use your child's PHI in our business operations. Operations are any activities that are necessary to run our business. We may use PHI for the purpose of quality assessment, or to conduct cost management and business planning activities. Your child's PHI may be disclosed to other health care entities to assist them in their billing or healthcare business operations.

BUSINESS ASSOCIATES ABC Pediatrics may disclose your child's PHI to our business associates under a business associate agreement. *For example: multiple vendors, answering services, transcription services, accounting services, billing and coding services, document shredding services, or attorney/legal services.* Business Associates and their sub-contractors are required to be HIPPA compliant and are equally duty bound to be accountable for protecting your privacy, and they must notify us immediately if your child's PHI becomes compromised. Business Associates and their subcontractors are subject to criminal and civil penalties for non-compliance with HIPPA law.

WORKERS COMPENSATION ABC Pediatrics may disclose your child's health information as necessary to comply with state workers compensation laws.

EMERGENCIES ABC Pediatrics may disclose your child's PHI to notify or assist in notifying a family member, or another person responsible for their care of their medical condition or in the event of an emergency or of death.

PUBLIC HEALTH ABC Pediatrics may disclose your child's health information to public health authorities for maintaining vital statistics, for preventing or controlling disease, injury or disability, for reporting child abuse, neglect, or domestic violence, for reporting disease or infection exposure, or for reporting problems to the food and drug administration with products and reactions to medications.

JUDICIAL AND ADMINISTRATIVE PROCEEDINGS ABC Pediatrics may disclose your child's health information in the course of any administrative or judicial proceeding.

LAW ENFORCEMENT ABC Pediatrics may disclose your child's health information to a law enforcement official for purposes such as identifying or locating a suspect, fugitive, material witness, or missing person, or for compliance with a court subpoena, or for other law enforcement purposes. We may disclose your child's PHI to police if they have a warrant. We may discuss your child's PHI with police if we believe we have evidence of a crime that occurred on our premises.

DECEASED PERSONS ABC Pediatrics may disclose your child's PHI to coroners, medical examiners or funeral directors in order for them to carry out their duties. We may disclose your child's PHI to persons involved in their care or payment, unless it is contrary to your previously expressed preference.

ORGAN DONATION ABC Pediatrics may disclose your child's health information to organizations involved in procuring, banking, or transplanting organs and tissues.

RESEARCH ABC Pediatrics may disclose your child's PHI to only researchers who are conducting research that has been approved by an institutional review board and it has been determined that the disclosure poses no more than minimal risk to your privacy. Additional authorizations may be required.

PUBLIC SAFETY to appropriate persons in order to prevent or lessen a serious and imminent threat to the health or safety of a particular person or the general public.

SPECIALIZED GOVERNMENT AGENCIES ABC Pediatrics may disclose your health information for military, national security, prisoner and government benefit purposes.

MARKETING OR FUNDRAISING ABC Pediatrics may contact you for marketing or fundraising purposes as described: As a courtesy to our patients, we may call your home prior to your child's scheduled appointment to remind you of the appointment time. If you are not home, we may leave a message on your answering machine or with the person answering the phone. No personal health information will be disclosed during this message other than the date and time of your child's appointment. **SALE OF YOUR CHILD'S PHI IS PROHIBITED WITHOUT YOUR CONSENT.**

*Our practice may participate in charitable events to raise awareness, donations, gifts, etc. During these times, we may send you a letter, postcard, or invitation to invite you to participate. We will provide you with information about the type of activity, date and time. **We will also provide you with information on how you can opt out of further fundraising communications.** It is not our policy to disclose any of your child's PHI about their condition for the purpose of fundraising events.*

STUDENT IMMUNIZATION RECORDS - ABC Pediatrics will release your child's immunization record to your child's school with your oral or written consent/request.

CUSTODY AGREEMENTS- In order for your child's health records/information to be held from a biological parent, you must submit one of the following; a court order showing they have no parental rights or a custody agreement that states the parent requesting records to be restricted has sole custody **and** that medical records are not to be accessed by the other parent.

Your Health information rights

- You have the right to request **in writing**, restrictions on certain uses and disclosures of your child's health information. You can ask that your child's not be shared with certain individuals, groups, or companies. You can request that your child's PHI only be shared with certain individuals. The practice is not required to agree, but if we do not agree we are bound by this agreement except when it is required by law, in emergencies, or when it is required to treat your child. In the case of minors, both parent's, or the child's legal guardian may have access to the child's PHI. A **COURT ORDER** is needed to restrict parental access.
- You have the right to request your child's PHI via our patient portal. Our portal is available free of charge. We are **unable to fax or email** your child's medical records to unsecure devices. If you are unable to obtain the requested information via our portal, you **MUST** pick it up in person.
- You have the right to request an amendment to your child's PHI in writing. Please be advised however, that our practice is not required to agree to amend the record. If you request an amendment and it is denied, you will be provided with an explanation of our denial reason(s) and information about how you can disagree with the denial.
- You have the right to receive an accounting of all non-routine disclosures of your protected health information made by our practice.
- You have the right to a paper copy of this Notice of Privacy Practices at any time upon request.
- You have the right to inspect and obtain a copy of your child's PHI including medical records and billing records, but not including psychotherapy notes, within 30 days of your written request. You may be charged a fee, as determined by Delaware State Code (title 2430.0) for the labor and supplies involved with copying. You may request an electronic copy of your child's record, or request an electronic transmission of your record to a designated 3rd party. This request must be made in writing.
- Your specific authorization is required for use and disclosure of all information not included in this notice of privacy practices. This includes but isn't limited to, psychotherapy notes, substance abuse notes, substance abuse treatment notes, genetic information, HIV/AIDS testing or treatment, except where required by law.

Breach of unsecured PHI ABC Pediatrics will notify you of a breach of your child's PHI. A "breach" is defined as unauthorized acquisition, access, use, or disclosure of your child's PHI which compromises the security or privacy of that information. We understand that breaches of personal information have the potential to cause reputational, physical, or financial harm. If there is reason to believe that your child's PHI is breached, our practice will conduct a thorough investigation and risk assessment. If after considering all of the factors, our evaluation fails to demonstrate a low probability that your privacy has been compromised, we are required by law to notify you and the U.S. department of health and human services in writing. Information provided will include details of the breach, the correctional actions taken by the practice, and any other actions that you should take to protect your child further.

CHANGES TO THIS NOTICE OF PRIVACY PRACTICE ABC Pediatrics reserves the right to amend this Notice of Privacy Practices at any time in the future, and will make the new provisions effective for all information that it maintains. Until such amendment is made, our practice is required by law to comply with this notice. We are required by law to maintain privacy of your health information and to provide you with notice of its legal duties and privacy practices with respect to your child's health information. If

you have questions about any part of this notice, or if you want more information about your privacy rights, please contact our practices privacy officer by calling 302-674-0222. If the privacy office is not available, you may make an appointment for a personal conference in person or by phone within 2 business day.

COMPLAINTS Complaint's about your privacy rights, or about how ABC Pediatrics has handled your health information should be directed to our privacy officer by calling the office at 302-674-0222. If the officer isn't available, you have the right the schedule an appointment either in person or by phone within 2 business days.

If you are not satisfied with the manner in which ABC Pediatrics handles your complaint, you may submit a formal complaint to the office of civil rights at the address below. You will not be retaliated against if you file a complaint on us, or to the office of civil rights.

DHHS OFFICE OF CIVIL RIGHTS

200 Independence Avenue, S.W.

Room 509F HHH Building

Washington, DC 20201

PATIENT NON-DISCRIMINATION POLICY "Any individual shall not be discriminated against because of race, color, creed, religion, sex, age, sexual preference, national origin, citizenship, marital status, disability, veteran status or any other status or characteristic protected under applicable federal, state or local laws. Acts of and/or harassment based on any of those factors are totally inconsistent with our philosophy of doing business and will not be tolerated at any time."