



NOTICE OF PRIVACY PRACTICES  
[Effective January 1, 2020]

**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.**

Note: If you have questions about this Notice, please contact the Privacy Officer, Brandy Mathew at Advanced Cardiology of Owensboro. Brandy Mathew may be contacted at 270-240-2129.

**WHO WILL FOLLOW THIS NOTICE?**

This Notice describes the privacy practices of Advanced Cardiology of Owensboro, its employees and staff, and its affiliated entities. “We” and “Advanced Cardiology” as used in this Notice refer to Advanced Cardiology of Owensboro and all of the listed affiliated entities and to all offices where Advanced Cardiology of Owensboro and the other listed entities provide services to you.

All Advanced Cardiology’s physicians and staff may have access to information in your chart for treatment, payment and health care operations, and may use and disclose information as described in this Notice. This Notice also applies to any volunteer or trainee we allow to help you while seeking services at Advanced Cardiology and any of its locations.

**OUR PLEDGE REGARDING THE PRIVACY OF YOUR MEDICAL INFORMATION:**

Your medical information includes information about your physical and mental health. We understand that information about your physical and mental health is personal. Advanced Cardiology is committed to protecting medical information about you. We create a record of the care and services you receive at Advanced Cardiology’s office. This record may include correspondence with you, including email/fax correspondence initiated by you. We need this record to provide you with quality care and to comply with certain legal requirements. This Notice applies to any and all of the records of your care generated by Advanced Cardiology at any of its offices.

This Notice will tell you about the ways in which we 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 reserve the right to revise or amend our Notice of Privacy Practices without additional Notice to you. Any revision or amendment to this Notice will be effective for all of your records our practice has created or maintained in the past, and for any of your records we may create or maintain in the future. Advanced Cardiology will post a copy of our current Notice and any amended Notice in our offices in a prominent place and will post any such Notice on our web site. In addition, you have a right to request a paper copy of the current Notice.**

## **OUR OBLIGATIONS TO YOU:**

We are required by law to:

- make sure that medical information that identifies you is kept private except as otherwise provided by state or federal law;
- give you this Notice of our legal duties and privacy practices with respect to medical information about you; and
- follow the terms of the Notice that is currently in effect.
- inform you of any unauthorized access, use or disclosure of your unencrypted

confidential information in the event its security or privacy is compromised (i.e., in the event that a reportable breach occurs as provided by the HIPAA Omnibus Final Rule). We will provide such notice to you without unreasonable delay but in no case no later than 60 days after we discover the breach.

## **HOW WE MAY USE AND DISCLOSE MEDICAL INFORMATION ABOUT YOU WITHOUT AN AUTHORIZATION:**

The following categories describe different ways that we may use and disclose medical information about you **without** your consent or authorization. For each category of uses or disclosures we will explain what we mean and try to give some examples. This Notice covers treatment, payment, and health care operations, as discussed below. It also covers other uses and disclosures for which a consent or authorization are **not** necessary. Where applicable state law is more protective of your medical information, we will follow state law.

**For Treatment.** Your medical information maintained at Advanced Cardiology is accessible to all providers at Advanced Cardiology through our electronic medical record (EMR). We may use medical information about you to provide you with medical treatment or services without consent or authorization unless otherwise required by applicable law. This may include sensitive information if it is part of care coordination (e.g., mental health or substance use).

Advanced Cardiology is committed to advancing care coordination – the management of all aspects of a patient’s care to improve health care quality. In coordinating care, we may disclose your medical information to doctors, nurses, medical students, pharmacists, allied health professionals, or other health care providers who are involved in taking care of you whether or not they are affiliated with Advanced Cardiology. For example, we may disclose medical information concerning you to Owensboro Health Regional Hospital, Vanderbilt Heart and Vascular Institute, and other acute care or medical clinics in and out of Owensboro, as well as to any other entity that has provided or will provide care to you.

During the course of your treatment with Advanced Cardiology, we may refer you to other health care providers with which you may not have direct patient contact, such as radiologists or independent laboratories. These providers are called “indirect treatment providers.” “Indirect treatment providers” are required to maintain and comply with the privacy requirements of state and federal law and keep your medical information confidential.

**For Payment.** We may use and disclose medical information about you without consent or authorization so that the treatment and services you receive at Advanced Cardiology 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 information about treatment received so your Health Plan will pay us or reimburse you for the treatment unless you agree to pay in full for the treatment received, as described under “Requests for Restriction.” Unless you agree to pay for the

treatment in full, 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.

For Health Care Operations. We may use and disclose medical information about you without consent or authorization for "health care operations." These uses and disclosures are necessary to operate Advanced Cardiology and make sure that all of our patients receive quality care. For example, we may use medical information or mental health treatment information to review our treatment and services and to evaluate the performance of our staff in caring for you. We may also disclose your protected health information to doctors, nurses, medical students, allied health professionals, and other Advanced Cardiology employees or consultants for review and learning purposes. In addition, in some cases we may furnish other covered entities with your medical information for their health care operations, if that entity and Advanced Cardiology have a relationship with you and the information pertains to the relationship, and the disclosure is for quality related health care operations or for the detection of fraud.

Appointment Reminders. Unless you tell us otherwise in writing, we may use and disclose medical information to contact you to remind you that you have an appointment for treatment.

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. However, we will not use or disclose medical information to market other products and services, either ours or those of third parties, without your authorization.

Health-Related Benefits and Services. We may use and disclose medical information to tell you about health-related benefits or services that may be of interest to you.

Individuals Involved in Your Care or Payment for Your Care. Unless you object or if in our judgment it would be in your best interest to allow the individual to receive the information or act on your behalf, we may release medical information, including mental health information, about you to a family member or friend if the individual's involvement is related to such information. For example, we may give medical information, including prescription information or information concerning your appointments to friends who are involved in your care. We may also give such information to someone who helps pay for your care. 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.

As Required by Law. We will disclose medical information about you when required to do so by federal, state or local law without your consent or authorization.

To Avert a Serious Threat to Health or Safety. We may 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 or lessen the threat. We may also disclose as necessary to law enforcement identify or to apprehend an individual if certain statements are made about a violent crime or an individual has escaped from a correctional institution or from lawful custody.

To Business Associates. Advanced Cardiology from time to time will hire "business associates" who render services to Advanced Cardiology using patient medical information. We may disclose your medical information to such business associates without your consent or authorization. Business associates are required to maintain and comply with the privacy requirements of state and federal law and keep your medical information confidential. Examples of "business associates" are accounting firms that we hire to perform audits of billing and

payment information, and computer software vendors who assist Advanced Cardiology in maintaining and processing medical information.

For Research. From time to time, Advanced Cardiology participates in research studies with entities such as drug companies. 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. Before we use or disclose medical information for research, the project will have been approved through a research approval process required by federal law. We may 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 as permitted by federal law. As a general rule, 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. We will also comply with all other requirements under federal law to seek your written authorization to disclose protected health information in connection with research studies.

Specialized Government Functions. If you are or were 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. We may release medical information about you to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law. 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.

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.

Workers' Compensation. We may release medical information about you for workers' compensation or similar programs without consent or authorization in order to comply with laws relating to workers' compensation. These programs provide benefits for work-related injuries or illnesses. For example, if you are injured on the job, we may release information regarding that specific injury to your employer or to your employer's worker's compensation insurer.

Public Health Activities. We may disclose medical information about you for public health activities without your consent or authorization. These activities generally include the following:

- to prevent or control disease, injury, or disability;
- to appropriate government authority authorized by law to receive reports of 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 an employer if we provided health care to you at the request of your employer to evaluate the workplace or evaluate a work-related injury;
- to a school regarding proof of immunization if required by law and we have obtained agreement of the disclosure from the parent, guardian or other person acting as a parent, or the adult or emancipated minor.

Health Oversight Activities. We may disclose medical information to a health oversight agency, such as the Department of Health and Human Services, for activities authorized by law. These oversight activities include, for example, 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 Administrative Proceedings. We may disclose medical information in the course of judicial or administrative proceedings. We may disclose medical information about you in response to a court or administrative order. We may also disclose certain medical information about you in response to a subpoena, discovery request, or other lawful process without a court order if certain requirements are met, including having satisfactory assurances that you have been given notice of the request or certain other legal requirements for a protective order are met. If we are not given such assurances, we will make reasonable efforts to provide notice to you or seek a protective order as allowed by law. In addition, we may disclose medical information to the opposing party in any lawsuit or administrative proceeding where you have put your physical or mental condition at issue once you have signed a written authorization to release the information.

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

- in compliance with laws that require the reporting of certain wounds or other physical injuries;
- in response to a court order, subpoena or summons issued by a judicial officer; in response to a grand jury subpoena or an administrative request;
- to identify or locate a suspect, fugitive, material witness, or missing person;
- about the victim of a crime if the victim agrees or, 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 Advanced Cardiology; 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.

Unless otherwise allowed by law, we will not release mental health information without a court order or written authorization.

Victims of Abuse, Neglect, or Domestic Violence. We may disclose information about any individual who we reasonably believe to be a victim of abuse, neglect, or domestic violence to a government authority, including social service or protective services agency, authorized by law to receive such reports in a manner consistent with the requirements of applicable state and federal laws. We will promptly inform you if we make such a report as required by law.

Coroners, Medical Examiners and Funeral Directors. We may release medical information, including mental health 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 information to funeral directors so they can carry out their duties.

Cadaveric Organ, Eye, or Tissue Donation Purposes. We may disclose your information to organ procurement organizations.

## **HOW WE MAY USE AND DISCLOSE MEDICAL INFORMATION WITH YOUR WRITTEN AUTHORIZATION:**

Some uses and disclosures of your medical information can be made only with your written authorization, unless otherwise permitted or required by law. You may revoke this authorization any time, in writing, unless Advanced Cardiology has relied on the use or disclosure indicated in the authorization.

Examples of those uses and disclosures that may only be made with your written authorization, unless otherwise permitted or required by law include:

- We will obtain your authorizations for uses and disclosures of your health information that are not described in the Notice above.
- Advanced Cardiology will not use or disclose your protected health information for marketing purposes without your authorization. Moreover, if we would receive any financial remuneration from a third party in connection with marketing, we will tell you that in the authorization form.
- Advanced Cardiology will not sell your protected health information to third parties without your authorization. Any such authorization will disclose that we will receive compensation in the transaction.

If you provide authorization for the disclosure of your health information, you may revoke it at any time by giving us written notice. Your revocation will not be effective for uses and disclosures made in reliance on your prior authorization.

## **YOUR RIGHTS REGARDING MEDICAL INFORMATION ABOUT YOU:**

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

Right to 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 the authority allowed by law and can act for you before we take any action.

Right to Inspect and/or Request a Copy. You have the right to inspect and/or request a copy of your medical information that may be used to make decisions about your care which is contained in a data set designated by Advanced Cardiology, with some exceptions. Usually, this includes medical and billing records, but does not include psychotherapy notes or information compiled for use in civil, criminal, or administrative action/proceeding.

We may deny your request to inspect and/or obtain a copy in certain circumstances. If you are denied access to medical information, you will receive a written denial. In limited circumstances the grounds for denial are not reviewable and we will communicate that to you. In all other circumstances, you may request that the denial be reviewed. Another licensed health care professional chosen by Advanced Cardiology 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. If we maintain your medical records electronically and you ask for an electronic copy, we will provide the information to you in the form and format you request, assuming it is readily producible. If we cannot readily produce the record in the form and format you request, we will produce it in another readable electronic form or in paper format. In addition, we will transmit information from your electronic medical record directly to a person or entity of your choosing if the request is made in writing and you sign an authorization.

If you wish to be provided a copy of medical information, you must submit your request in writing to Advanced Cardiology of Owensboro Release of Information, 3110 Fairview Drive, Owensboro, KY 42303. The telephone number is 270-240-2129.

If you request a copy of the information, we may charge a reasonable cost-based fee for the labor of copying the PHI, any supplies for creating the paper copy or electronic media, and postage. If you ask for an explanation or summary of your PHI, we may charge a reasonable cost-based fee for that service and will obtain your agreement in advance to those fees. If you wish to inspect your records, we may charge a reasonable fee for the inspection that reflects staff time in compiling the information and participating in the inspection. Generally, you should receive your records within 30 days.

Right to Request Amendment. 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 Advanced Cardiology and is contained in Advanced Cardiology's designated record set, which usually includes medical and billing records.

To request an amendment, you will need to contact the Privacy Officer so that a Health Information Request for Amendment Form can be mailed to you. The form will need to be completely filled out and returned to the Privacy Officer. You must provide a reason that supports your request. Generally, we will act on your request within 60 days.

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, unless the person or entity that created the information is no longer available to make that amendment;
- is not part of the medical information kept by Advanced Cardiology;
- is not part of the information which you would be permitted to inspect and copy; or
- is accurate and complete.

If we deny the request, you will be informed in writing of the reasons and will be informed of your right to appeal the decision.

Right to an Accounting of Disclosures. You have the right to request an "accounting of disclosures." This is a list of the disclosures we have made of medical information about you. An accounting from paper records will not include disclosures for treatment, payment and health care operations. An accounting from your electronic medical record may include disclosures for treatment, payment and health care operations for three years prior to the request as set forth by the regulations.

To request this list or accounting of disclosures, you must submit your request to the Privacy Officer so that a Health Information Request for Accounting of Disclosure Form can be mailed to you. This form will need to be completely filled out and returned to the Privacy Officer, Advanced Cardiology of Owensboro, 3110 Fairview Drive, Owensboro, KY 42303. Request for paper records that Advanced Cardiology maintained are limited to the six years prior to the request date and do not include disclosures made for treatment, payment, and health care operations or any incidental use or disclosure permitted by law. For electronic medical records you will receive an accounting for disclosures for three years prior to the request. The response to your request will be provided to you on paper. The first accounting of disclosures 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. Generally, we will act on your request within 60 days.

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 may request that your spouse or child who is involved in your care not receive certain information about your condition.

We are not required to agree to your request, unless the disclosure is to a health plan or other payer for purposes of carrying out payment or health care operations and you have paid for the services yourself. For all other requests for restrictions, 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 in writing to Advanced Cardiology of Owensboro Privacy Officer, 3110 Fairview Drive, Owensboro, KY 42303. 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 to the Privacy Officer, Advanced Cardiology of Owensboro, 3110 Fairview Drive, Owensboro, KY 42303. We will not ask the reason for your request. We will accommodate all requests that Advanced Cardiology, in its discretion, determines to be 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 or any amended Notice at any time. Even if you have agreed to receive this Notice electronically, you are still entitled to a paper copy of this Notice.

You may obtain a copy of the Notice or Amended Notice at our website, <https://www.advancedcardiologyofowensboro.com/> or at Advanced Cardiology.

Complaints. If believe your privacy rights have been violated, you may file a complaint with Advanced Cardiology by contacting Brandy Mathew at 270-240-2129 or submitting your complaint in writing to: Brandy Mathew Advanced Cardiology of Owensboro, 3110 Fairview Drive, Owensboro, KY 42303. You may file a complaint with the U.S. Department of Health and Human Services Office for Civil Right by visiting [www.HHS.gov](http://www.HHS.gov). You will not be penalized or retaliated against 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 as set out in an authorization signed by you. If you provide us permission to use or disclose medical information about you, you may revoke that permission 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. While we will do our best to comply with oral requests to revoke, revocation may not be effective until we receive a right to revoke in writing. The written request should be made to Advanced Cardiology of Owensboro Release of Information, 3110 Fairview Drive, Owensboro, KY 42303. 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.

### Discrimination is Against the Law

Advanced Cardiology complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. Advanced Cardiology does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex.

At Advanced Cardiology, we provide free aids and services to people with disabilities to communicate effectively with us, such as qualified sign language interpreters and written information in other formats. We provide free language services to people whose primary language is not English, such as qualified interpreters and information written in other languages.

If you need these services, contact Advanced Cardiology Administration at 270-240-2129.

If you believe that Advanced Cardiology has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, you can file a grievance with Advanced Cardiology of Owensboro, 3110 Fairview Drive, Owensboro, KY 42303. You can file a grievance in person or by mail.

You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights.

Original: 11/2016

Revised: 01/2020

If you would like a copy of this privacy policy, please ask the receptionist upon completion.