

## NOTICE OF PRIVACY PRACTICES

**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. PHYSICIANS EAST, PA HAS A LEGAL DUTY TO SAFEGUARD YOUR PROTECTED HEALTH INFORMATION (PHI).**

This Privacy Notice is being provided to you as a requirement of a federal law, the Health Insurance Portability and Accountability Act (HIPAA). This Privacy Notice describes how we may use and disclose your protected health information (PHI) to carry out treatment, payment or health care operations and for other purposes that are permitted or required by law. It also describes your rights regarding your protected health information in some cases. Your "protected health information" means any written, electronic and oral health information, including demographic data that can be used to identify you. This is health information that is created or received by your health care provider, and that relates to your past, present or future physical or mental health condition.

However, we reserve the right to change the terms of this notice of our privacy practices at any time. If we make an important change to our policies, we will promptly change this notice and post a revised notice in our offices. You can also request a copy of this notice from the contact person (see Section VIII; Contact Person) at any time and can view a copy of the notice on our web site located at ([www.physicianseast.com](http://www.physicianseast.com)).

Physicians East, PA may use your protected health information for purposes of providing treatment, obtaining payment for treatment and conducting health care operations. Your protected health information may be used and/or disclosed only for these purposes unless Physicians East, PA has obtained your authorization or the HIPAA privacy regulations or state law otherwise permits the use or disclosure of your information.

### **Summary of Your Rights to Privacy:**

Physicians East, PA has a legal duty to protect health information about you. Physicians East, PA may use and disclose PHI about you in the following circumstances:

- To provide health care treatment to you.
- To obtain payment for services.
- For health care operations.
- Under other certain circumstances without your authorization.

We may contact you to provide appointment reminders.

We may contact you with information about your treatment, services, products or health care providers.

We may contact you for fund raising activities.

You have several rights regarding PHI about you:

- You have the right to notification about a breach.
- You have the right to object to certain uses and disclosures.
- You have the right to request restrictions on uses and disclosures of PHI about you.
- You have the right to request different ways to communicate with you.
- You have the right to a copy of PHI about you.

- You have the right to request amendment of PHI about you.
- You have the right to a listing of disclosures we have made.
- You have a right to a copy of this notice.
- You may file a complaint about our privacy practices.

**I. We May Use and Disclose PHI About You Without Your Authorization in the Following Circumstances:**

**A. To Provide Treatment to You:** Physicians East, PA will use and disclose your PHI to provide, coordinate, or manage your health care and any related services. This includes the coordination or management of your health care with a third party for treatment purposes.

For example, we may disclose your protected health information to a pharmacy to fill a prescription or to a laboratory to order a blood test. We may also disclose PHI to physicians who may be treating you or consulting within the corporation with respect to your care. In some cases, we may also disclose your PHI to an outside treatment provider for purposes of the treatment activities of the other provider (IE: A doctor treating you for a stroke may need to know if you have diabetes because this disease may slow down your healing process. The doctor may also inform a dietician so that we can make sure you eat the appropriate meals. We may also disclose PHI about you to people outside of this office who may be involved in your medical care after you leave our facility, such as a radiology practice for an MRI).

Electronic Health Information Exchange (HIE): Physicians East participates in the NC Health Information Exchange (NC HealthConnex), the statewide health information exchange designated by the State of North Carolina. The HIE is a secure network for health care providers to share your important health information to support treatment and continuity of care. For example, if you are admitted to a NC HIE participating health care facility not affiliated with Physicians East, health care providers there will be able to see important health information held in our electronic medical record system.

Your NC HIE record includes prescriptions, lab and test results, imaging reports, conditions, diagnoses or health problems and vaccination history. To ensure your health information is entered into the correct record, also included are demographic information (your name, date of birth, sex, address and telephone number). All information contained in the HIE is kept private and confidential and used in accordance with applicable state and federal laws and regulations regarding confidentiality. The information is accessible to participating providers to support treatment and healthcare operations such as mandated disease reporting to the North Carolina Division of Public Health.

You do not have to participate in the HIE to receive care. For more information about the NC HIE and your choices regarding participation, visit [www.hiea.nc.gov](http://www.hiea.nc.gov) or ask one of our representatives for a form to opt out. Opting out must be done by the patient or legal representative. Completed forms must be mailed to the NC Health Information Exchange Authority, Mail Service Center 4101, Raleigh, NC 27699. As a privacy precaution, Physicians East may not do this on your behalf. Clinical data will continue to be recorded in the HIE even if you opt out however, this information can only be accessed in the event of an emergency by a privacy officer and will not be accessed by clinical users.

**B. To Obtain Payment for Services.** Your PHI will be used, as needed, to obtain payment for the services that are provided by Physicians East, PA. This may include certain communications to your health insurance company to get approval for the procedure that has been scheduled.

For example, we may need to disclose information to your health insurance company to get prior approval for the surgery. We may also disclose protected health information to your health insurance company to determine whether you are eligible for benefits or whether a particular service is covered under your health plan. In order to get payment for the services we provide to you, we may also need to disclose your PHI to your health insurance company to demonstrate the medical necessity of the services or, as required by your insurance company, for utilization review. We may also disclose PHI to another provider involved in your care for the other provider's payment activities. This may include disclosure of demographic information to anesthesia care providers for payment of their services. We may also share portions of your medical information with collection departments or outside collection agencies.

**C. For Healthcare Operations.** Physicians East, PA may use and disclose your PHI as necessary, for our own health care operation or business activities to facilitate the functions of Physicians East, PA and to provide quality care to all patients.

For example, Health care operations include such activities as:

- Quality assessment and improvement activities to improve our care to you.
- Employee review activities to evaluate their skills, etc.
- Training programs, including those in which students, trainees, or practitioners in health care learn under supervision.

- Accreditation by outside organizations that evaluate or certify and license our facility.
- Credentialing activities, review and auditing, including compliance reviews, medical reviews, legal services and maintaining compliance programs, business management and general administrative activities.

We may provide your PHI, including your condition and status, to a family member, friend, or other person that you indicate is involved in your care or the payment of your health care. In addition, we may disclose PHI about you to an entity assisting in disaster relief efforts so that a family member or other person responsible for your care can be notified about your condition, status and location.

In certain situations, we may also disclose patient information to another provider or health plan for their health care operations.

If you have provided a cellular telephone number to us, we may use that number to contact you regarding appointment reminders, sending text message appointment reminders, or for billing and collections. To opt out of future communications, reply "STOP" to a text message from us or call our office to speak to a Call Center Representative.

**D. We May Use and Disclose PHI About Your Circumstances Without Your Authorization.** As part of treatment, payment, and health care operations, Physicians East, PA may also use or disclose your PHI for the following purposes: to remind you of your procedure date or an appointment, to inform you of potential treatment alternatives or options, to contact you after your treatment as part of our follow-up practices, inform you of health-related benefits or services that may be of interest to you, or to contact you to raise funds for Physicians East, PA or an institutional foundation related to Physicians East, PA. If you do not wish to be contacted, please contact our Privacy Officer (see Section VIII - Contact Person).

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**II. Uses and Disclosures Beyond Treatment, Payment, and Health Care Operations Permitted Without Authorization or Opportunity to Object.** We may use and/or disclose your protected health information without your permission or authorization for a number of reasons, including the following:

**A. Use and/or Disclosure Required by Law.** Physicians East, PA will disclose your PHI when we are required to do so by any federal, state, or local law or other judicial or administrative proceeding

**B. Use and/or Disclosure necessary for Public Health.** Physicians East, PA may disclose your PHI for the following public health activities and purposes:

- To prevent, control, or report disease, injury, or disability as permitted by law.
- To report vital events such as birth or death as permitted or required by law.
- To conduct public health surveillance, investigations, and interventions as permitted or required by law.
- To collect or report adverse events and product defects, track FDA-regulated products, enable product recalls, repairs or replacements to the FDA, and to conduct post-marketing surveillance.
- To notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease as authorized by law.
- To report to an employer information about an individual who is a member of the workforce as legally permitted or required.

**C. Disclosure Relating to Victims of Abuse, Neglect, or Domestic Violence.** For example, Physicians East, PA may notify governmental authorities if we believe that a patient is the victim of abuse, neglect, or domestic violence. Physicians East, PA will make this disclosure only when specifically required or authorized by law or when the patient agrees to the disclosure.

**D. Use and Disclosure for Health Oversight Activities.** For example, Physicians East, PA may disclose your PHI to a health oversight agency for activities including audits; civil, administrative, or criminal investigations, proceedings, or actions; inspections; licensure or disciplinary actions; or other activities necessary for appropriate oversight as authorized by law. We will not disclose your health information under this authority if you are the subject of an investigation and your health information is not directly related to your receipt of health care or public benefits.

**E. Disclosure for Judicial and Administrative Proceedings.** For example, Physicians East, PA may disclose your PHI in the course of any judicial or administrative proceedings in response to an order of a court or administrative tribunal as expressly authorized by such order. In certain circumstances, we may disclose your protected health information in response to a subpoena to the extent authorized by state law if we receive satisfactory assurances that you have been notified of the request or that an effort was made to secure a protective order.

**F. Disclosure For Law Enforcement Purposes.** For example, Physicians East, PA may disclose your PHI to a law enforcement official for law enforcement purposes as follows:

- As required by law for reporting of certain types of wounds or other physical injuries.
- Pursuant to court order, court-ordered warrant, subpoena, summons, or similar process.
- For the purpose of identifying or locating a suspect, fugitive, material witness, or missing person.
- Under certain limited circumstances, when you are the victim of a crime.
- To a law enforcement official if the facility has a suspicion that your health condition was the result of criminal conduct.
- In an emergency to report a crime.

**G. Use and/or Disclosure Relating to Descendants to Coroners, Funeral Directors, and for Organ Donation.** For example, Physicians East, PA may disclose your PHI to a coroner or medical examiner for identification purposes, to determine cause of death, or for the coroner or medical examiner to perform other duties authorized by law. We may also disclose PHI to a funeral director, as authorized by law, in order to permit the funeral director to carry out their duties. We may disclose such information in reasonable anticipation of death. PHI may be used and disclosed for cadaveric organ, eye, or tissue donation purposes.

**H. Use and/or Disclosure for Research Purposes.** For example, Physicians East, PA may use or disclose your PHI for research when the use or disclosure for research has been approved by an institutional review board that has reviewed the research proposal and research protocols to address the privacy of your PHI.

**I. Use and/or Disclosure in the Event of a Serious Threat to Health or Safety.** For example, Physicians East, PA may, consistent with applicable law and ethical standards of conduct, use or disclose your PHI if we believe, in good faith, that such use or disclosure is necessary to prevent or lessen a serious and imminent threat to your health or safety or to the health and safety of the public.

**J. Use and/or Disclosure for Specified Government Functions.** For example, in certain circumstances, federal regulations authorize the facility to use or disclose your PHI to facilitate specified government functions relating to military and veterans activities, national security and intelligence activities, protective services for the President and others, medical suitability determinations, correctional institutions having custody of you lawfully, and law enforcement custodial situations.

**K. For Worker's Compensation.** The facility may release your PHI to comply with worker's compensation laws or similar programs.

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### **III. You Can Object to Certain Uses and/or Disclosures.**

Unless you object, Physicians East, PA may use and/or disclose your PHI to your family member, relative and/or a close personal friend if it is directly relevant to the person's involvement in your care (procedure/surgery) or payment related to your care. We can also disclose your information in connection with trying to locate or notify family members or others involved in your care concerning your general location, condition, or death.

If you would like to object to these disclosures in the above circumstances, please call the person listed in Section VIII; Contact Person. If you do not object to these disclosures or we can infer from the circumstance that you do not object or we determine, in the exercise of our professional judgment, that it is in your best interest for us to make disclosure of information that is directly relevant to the person's involvement with your care, we may disclose your protected health information as described.

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### **IV. Any Other Uses or Disclosures of PHI About You Requires Your Written Authorization.**

We will ask for your written authorization before using or disclosing PHI for purposes not described in this Notice, including most marketing purposes or we seek to sell your information. If you sign a written authorization allowing us to disclose PHI about you, you can revoke or cancel your authorization in writing at any time. If you cancel your authorization in writing, we will not disclose PHI about you after we receive your cancellation except for disclosures that were being processed before we received your cancellation.

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## **V. Your Rights About Your PHI.**

You have the following rights regarding your health information:

**A. The right to notification about a breach.** You have the right to be notified in the event we inappropriately use, access or disclose your PHI.

**B. The right to see and copy your PHI.** You may see and obtain a copy of your PHI that is contained in a designated record set for as long as we maintain the PHI. A "designated record set" contains medical and billing records and other records that your provider uses for making decisions about you. If we maintain electronic health records in one or more designated record sets, you have the right to obtain an electronic copy of your PHI and you may, by written request, have us send your record electronically directly to another party.

Under federal law in certain situations, however, you may not see and obtain a copy of the following records: psychotherapy notes; information compiled in reasonable anticipation of, or for use in, a civil, criminal, or administrative action or proceeding; and PHI that is subject to a law that prohibits access to PHI. Depending on the circumstances, you may have the right to have a decision to deny access reviewed by a licensed healthcare professional. You will receive this response in writing stating why we will not grant your request.

We may deny your request to see or obtain a copy of your PHI if, in our professional judgment, we determine that the access requested is likely to cause substantial harm to another person referenced within the information. You have the right to request a review of this decision.

To see and copy your PHI, you must sign a "Release of Information Authorization form". If you request a copy of your information, Physicians East, PA may charge you a fee for the costs of copying or mailing but may only charge for labor costs for electronic transfers of health records and the cost of the USB device if requested.

**C. The right to request a restriction on uses and disclosures of your PHI.** You have the right to request that we restrict your PHI for the purposes of treatment, payment, or health care operations. You may also request that we not disclose your PHI to family members or friends who may be involved in your care or for notification purposes as described in this Privacy Notice. Your request must state the specific restriction requested and to whom you want the restriction to apply.

The facility is not required to agree to a restriction that you may request except in limited situations in which you or someone on your behalf pays for an item or service, and you request that information concerning such item or service not be disclosed to a health insurer. We will notify you if we deny your request to a restriction. If the corporation does agree to the requested restriction, we may not use or disclose your PHI in violation of that restriction unless it is needed to provide emergency treatment, disclosures to the Secretary of the Department of Health and Human Services, and uses and disclosures provided in the previous sections of this notice. Under certain circumstances, we may terminate our agreement to a restriction. You may request a restriction by contacting the Privacy Officer (see Section VIII; Contact Person).

**D. The right to request to receive confidential communications from us by alternative means or at an alternative location.** You have the right to request that we communicate with you in certain ways. We will accommodate all reasonable requests. We may condition this accommodation by asking you for information as to how payment will be handled or specification of an alternative address or other method of contact. We will not require you to provide an explanation for your request. Requests must be made in writing and specify how or where you wish to be contacted to our Privacy Officer (see Section VIII; Contact Person).

**E. The right to request amendments to your PHI.** You have the right to request an amendment of PHI about you in a designated record set for as long as we maintain this information. In certain cases, we may deny your request for an amendment. We may deny your request if:

- The information was not created by us (unless you prove the creator of the information is no longer available to amend the record)
- The information is not part of the records used to make decisions about you
- We believe the information is correct and complete; or
- You would not have the right to see and copy the record as described in the previous paragraph.

If we deny your request for amendment, we will tell you in writing the reasons for the denial and describe your rights to file a statement of disagreement with us and we may prepare a rebuttal to your statement and will provide you with a copy of any such rebuttal. Requests for an amendment must be in writing and must be directed to our Privacy Officer (see Section VIII, Contact Person). In this written request, you must also provide a reason to support the requested amendment. If we accept your request to amend the information, we will make reasonable efforts to inform others of the amendment, including persons you name who have received PHI about you and who need the amendment.

**F. You have the right to a listing of disclosures we have made about you.** You have the right to request an accounting of certain disclosures of your PHI made by Physicians East, PA. You have the right to receive a written list of these disclosures. You may ask for disclosures made up to six years before your request (not including disclosures made prior to April 14, 2003). This right applies to disclosures for purposes other than treatment, payment, or health care operations as described in this Privacy Notice. We are not required to account for all disclosures that you may request. The list will not include disclosures that are part of the limited data set we maintain for research and quality improvement purposes, disclosures that you agreed to by signing an authorization form, disclosures for a facility directory, to friends or family members involved in your care, or certain other disclosures we are permitted to make without your authorization. The request for an accounting must be made in writing to our Privacy Officer (see Section VIII; Contact Person). The request should specify the time period sought for the accounting. We will provide the first accounting you request during any 12-month period without charge. Subsequent accounting requests may be subject to a reasonable cost-based fee.

**G. You have the right to a paper copy of this notice.** Upon request, we will provide a separate paper copy of this notice even if you have already received a copy of the notice or have agreed to accept this notice electronically. We will provide this notice no later than the date you first receive service from us (except for emergency services, and then we will provide the notice to you as soon as possible). The Notice of Privacy Practices is posted on the internet website at [www.physicianseast.com](http://www.physicianseast.com).

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## VI. Our Duties

Physicians East, PA is required by law to maintain the privacy of your PHI and to provide you with this Privacy Notice of our duties and privacy practices. We are required to abide by terms of this Notice which may be amended from time to time. We reserve the right to change the terms of this Notice and to make the new Notice provisions effective for all future PHI that we maintain. If the corporation changes its Notice, a copy of the revised Notice will be posted and will be made available upon request to patients.

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## VII. Complaints

You have the right to express complaints to Physicians East, PA and to the U.S. Secretary of the Department of Health and Human Services if you believe that your privacy rights have been violated. You may complain to Physicians East, PA by contacting the Privacy Officer (see section VIII; Contact Person) verbally or in writing. We encourage you to express any concerns you may have regarding the privacy of your information. You will not be retaliated against in any way for filing a complaint. All complaints will be investigated to help resolve your issues.

**Notice of Privacy Practices relating to North Carolina Laws:** Some NC laws provide you with some more stringent protection than federal laws in protecting the privacy of medical information about you, and where applicable, Physicians East, PA will follow the requirements of those State laws.

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## VIII. Contact Person

Physicians East's contact person for all issues regarding patient privacy and your rights under the federal privacy standards is the Privacy Officer. Information regarding matters covered by this Notice can be requested by contacting the Privacy Officer. If you feel that your privacy rights have been violated by this corporation, you may submit a complaint to our Privacy Officer.

Physicians East, PA  
Privacy Officer  
1850 West Arlington Blvd.  
Greenville, NC 27834  
252-752-6101

**IX. Effective Date:** This Notice became effective April 14, 2003 and was amended on March 07, 2019.