



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.

USE AND DISCLOSURE OF HEALTH INFORMATION

George Mark Children's House may use your child's health information, information that constitutes protected health information (PHI) as defined in the Privacy Rule of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996, for purposes of providing your child treatment, obtaining payment for your child's care and conducting health care operations. George Mark Children's House has established policies to guard against unnecessary disclosure of your child's health information.

THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER WHICH AND PURPOSES FOR WHICH YOUR HEALTH INFORMATION MAY BE USED AND DISCLOSED:

1. **To Provide Treatment.** George Mark Children's House may use your child's health information to coordinate care within George Mark Children's House and with others involved in your child's care, such as your child's attending physician, members of the George Mark Children's House interdisciplinary team and other health care professionals who have agreed to assist George Mark Children's House in coordinating care. For example, physicians involved in your child's care will need information about your child's symptoms in order to prescribe appropriate medications. George Mark Children's House also may disclose your child's health care information to individuals outside George Mark Children's House involved in your child's care including family members, clergy who you/your child has designated, pharmacists, suppliers of medical equipment or other health care professionals.
2. **To Obtain Payment.** George Mark Children's House may include your child's health information in invoices to collect payment from third parties for the care your child receives from George Mark Children's House. For example, George Mark Children's House may be required by your/your child's health insurer to provide information regarding your child's health care status so that the insurer will reimburse you or George Mark Children's House. George Mark Children's House also may need to obtain prior approval from your/your child's insurer and may need to explain to the insurer your child's need for George Mark Children's House care and the services that will be provided to you/your child/your family.
3. **To Conduct Health Care Operations.** George Mark Children's House may use and disclose health information for its own operations in order to facilitate the function of George Mark Children's House and as necessary to provide quality care to all of George Mark Children's House's patients. Health care operations include, but are not limited to, such activities as:
 - a. Quality assessment and improvement activities.
 - b. Activities designed to improve health or reduce health care costs.
 - c. Protocol development, case management and care coordination.
 - d. Contacting health care providers and patients with information about treatment alternatives and other related functions that do not include treatment.
 - e. Professional review and performance evaluation.
 - f. Training programs including those in which students, trainees or practitioners in health care learn under supervision.
 - g. Training of non-health care professionals.
 - h. Accreditation, certification, licensing or credentialing activities.
 - i. Review and auditing, including compliance reviews, medical reviews, legal services and compliance programs.
 - j. Business planning and development including cost management and planning related analyses and formulary development.

- k. Business management and general administrative activities of the George Mark Children's House.
- l. George Mark Children's House may disclose certain information about your child including his/her name, general health status, religious affiliation and patient room on the nurses' station information board while your child is in-patient. The George Mark Children's House may disclose this information to people who ask for you by name. Please inform us if you do not want your child's information to be posted.

For example: George Mark Children's House may use your child's health information to evaluate its staff performance, combine your child's health information with other George Mark Children's House patients in evaluating how to more effectively serve all George Mark Children's House patients, disclose your child's health information to George Mark Children's House staff and contracted personnel for training purposes, use your child's health information to contact you as a reminder regarding a visit, or contact you as part of general fundraising and community information mailings (unless you tell us you do not want to be contacted).

- 4. **For Fundraising Activities.** George Mark Children's House may use information about you including your child's name, address, phone number and the dates your child received care in order to contact you or your family to raise money for George Mark Children's House. If you do not want George Mark Children's House to contact you or your family, notify Anna Armstrong, Individual Donor and Database Associate 510-346-1264 or aarmstrong@georgemark.org, and indicate that you do not wish to be contacted.
- 5. **For Visit Reminders.** George Mark Children's House may use and disclose your child's health information to contact you as a reminder that you have an appointment for a home visit.
- 6. **For Treatment Alternatives.** George Mark Children's House may use and disclose you/your child's health information to tell you/your child about or recommend possible treatment options or alternatives that may be of interest to you.

THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER WHICH AND PURPOSES FOR WHICH YOUR HEALTH INFORMATION MAY ALSO BE USED AND DISCLOSED

- 1. **When Legally Required.** George Mark Children's House will disclose your child's health information when it is required to do so by any Federal, State or local law.
- 2. **When There Are Risks to Public Health.** George Mark Children's House may disclose your child's health information for public activities and purposes in order to:
 - a. Prevent or control disease, injury or disability, report disease, injury, vital events such as birth or death and the conduct of public health surveillance, investigations and interventions.
 - b. Report adverse events, product defects, to track products or enable product recalls, repairs and replacements and to conduct post-marketing surveillance and compliance with requirements of the Food and Drug Administration.
 - c. Notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease.
 - d. Notify an employer about an individual who is a member of the workforce as legally required.
- 3. **To Report Abuse, Neglect Or Domestic Violence.** George Mark Children's House is allowed to notify government authorities if George Mark Children's House believes a patient is the victim of abuse, neglect or domestic violence. George Mark Children's House will make this disclosure only when specifically required or authorized by law or when the patient/patient's Primary Care Giver (PCG) agrees to the disclosure.
- 4. **To Conduct Health Oversight Activities.** George Mark Children's House may disclose your child's health information for health oversight activities including audits, civil administrative or criminal investigations, inspections, licensure or disciplinary action. George Mark Children's House, however, may not disclose your child's health information if your child is the subject of an investigation and your child's health information is not directly related to your child's receipt of health care or public benefits.
- 5. **In Connection With Judicial And Administrative Proceedings.** George Mark Children's House may disclose your child's health information in the course of any judicial or administrative proceeding in response to an order of a court or administrative tribunal as expressly authorized by such order or in response to a subpoena, discovery request or other lawful process, but only when George Mark Children's

House makes reasonable efforts to either notify you about the request or to obtain an order protecting your child's health information.

6. **For Law Enforcement Purposes.** As permitted or required by State law, the George Mark Children's House may disclose your child's health information to a law enforcement official for certain law enforcement purposes as follows:
 - a. As required by law for reporting of certain types of wounds or other physical injuries pursuant to the court order, warrant, subpoena or summons or similar process.
 - b. For the purpose of identifying or locating a suspect, fugitive, material witness or missing person.
 - c. Under certain limited circumstances, when your child is the victim of a crime.
 - d. To a law enforcement official if George Mark Children's House has a suspicion that your child's death was the result of criminal conduct including criminal conduct at George Mark Children's House.
 - e. In an emergency in order to report a crime.
7. **To Coroners And Medical Examiners.** George Mark Children's House may disclose your child's health information to coroners and medical examiners for purposes of determining your child's cause of death or for other duties, as authorized by law.
8. **To Funeral Directors.** George Mark Children's House may disclose your child's health information to funeral directors consistent with applicable law and if necessary, to carry out their duties with respect to your child's funeral arrangements. If necessary to carry out their duties, the George Mark Children's House may disclose your child's health information prior to and in reasonable anticipation of your child's death.
9. **For Organ, Eye Or Tissue Donation.** George Mark Children's House may use or disclose your child's health information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs, eyes or tissue for the purpose of facilitating the donation and transplantation.
10. **For Research Purposes.** George Mark Children's House may, under very select circumstances, use your child's health information for research. Before the George Mark Children's House discloses any of your child's health information for such research purposes, the project will be subject to an extensive approval process.
11. **In the Event of A Serious Threat To Health Or Safety.** George Mark Children's House may, consistent with applicable law and ethical standards of conduct, disclose your child's health information if George Mark Children's House, in good faith, believes that such disclosure is necessary to prevent or lessen a serious and imminent threat to your child's health or safety or to the health and safety of the public.
12. **For Specified Government Functions.** In certain circumstances, Federal regulations authorize George Mark Children's House to use or disclose your child's health information to facilitate specified government functions relating to military and veterans, national security and intelligence activities, protective services for the President and others, medical suitability determinations and inmates and law enforcement custody.
13. **For Worker's Compensation.** George Mark Children's House may release your child's health information for worker's compensation or similar programs.

AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION

Other than is stated above, George Mark Children's House will not disclose your child's health information other than with your written authorization. If you authorize George Mark Children's House to use or disclose your child's health information, you may revoke that authorization in writing at any time.

YOUR RIGHTS WITH RESPECT TO YOUR HEALTH INFORMATION

You have the following rights regarding your health information that George Mark Children's House maintains:

1. **Right to request restrictions.** You may request restrictions on certain uses and disclosures of your child's health information. You have the right to request a limit on George Mark Children's House's disclosure of your child's health information to someone who is involved in your child's care or the payment of your child's care. However, the George Mark Children's House is not required to agree to your request. If you

wish to make a request for restrictions, please contact Teri Rose Compliance Manager, 510-346-1282 or terirose@georgemark.org.

2. **Right to receive confidential communications.** You have the right to request that George Mark Children's House communicate with you in a certain way. For example, you may ask that the George Mark Children's House only conduct communications pertaining to your child's health information with you privately with no other family members present. If you wish to receive confidential communications, please contact Teri Rose, Compliance Manager, terirose@georgemark.org. George Mark Children's House will not request that you provide any reasons for your request and will attempt to honor your reasonable requests for confidential communications.
3. **Right to inspect and copy your health information.** You have the right to inspect and copy your child's health information, including billing records. A request to inspect and copy records containing your child's health information may be made to Teri Rose, Compliance Manager, 510-346-1282 or trose@georgemark.org. If you request a copy of your child's health information, George Mark Children's House may charge a reasonable fee for copying and assembling costs associated with your request.
4. **Right to amend health care information.** You have the right to request that George Mark Children's House amend your child's records, if you believe that your child's health information is incorrect or incomplete. That request may be made as long as the information is maintained by George Mark Children's House. A request for an amendment of records must be made in writing to Teri Rose, Compliance manager, 510-346-1282 or terirose@georgemark.org. George Mark Children's House may deny the request if it is not in writing or does not include a reason for the amendment. The request also may be denied if your child's health information records were not created by George Mark Children's House, if the records you are requesting are not part of George Mark Children's House's records, if the health information you wish to amend is not part of the health information you are permitted to inspect and copy, or if, in the opinion of George Mark Children's House, the records containing your child's health information are accurate and complete.
5. **Right to an accounting.** You have the right to request an accounting of disclosures of your child's health information made by George Mark Children's House for certain reasons, including reasons related to public purposes authorized by law and certain research. The request for an accounting must be made in writing to Teri Rose, Compliance Manager, 510-346-1282 or terirose@georgemark.org. The request should specify the time period for the accounting starting on or after April 14, 2003. Accounting requests may not be made for periods of time in excess of six (6) years. George Mark Children's House would 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.
6. **Right to a paper copy of this notice.** You have a right to a separate paper copy of this Notice at any time even if you have received this Notice previously. To obtain a separate paper copy, please contact Teri Rose, Compliance manager, 510-346-1282 or terirose@georgemark.org or visit our website: www.georgemark.org.

DUTIES OF THE GEORGE MARK CHILDREN'S HOUSE

George Mark Children's House is required by law to maintain the privacy of your child's health information and to provide to you this Notice of its duties and privacy practices. George Mark Children's House is required to abide by the terms of this Notice as may be amended from time to time. George Mark Children's House reserves the right to change the terms of its Notice and to make the new Notice provisions effective for all health information that it maintains. If George Mark Children's House changes its Notice, George Mark Children's House will provide a copy of the revised Notice to you. You have the right to express complaints to the George Mark Children's House and to the Secretary of DPHHS if you believe that your child's privacy rights have been violated. Any complaints to George Mark Children's House should be made in writing to Teri Rose, Compliance Manager, 2121 George Mark Lane, San Leandro, CA 94578 or terirose@georgemark.org. George Mark Children's House encourages you to express any concerns you may have regarding the privacy of your child's information. You will not be retaliated against in any way for filing a complaint.

CONTACT PERSON

George Mark Children's House has designated Teri Rose, Compliance Manager, as its contact person for all issues regarding patient privacy and your rights under the Federal privacy standards. You may contact this person at 510-346-1282 or terirose@georgemark.org.

EFFECTIVE DATE

This Notice is effective January 1, 2009.

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, PLEASE CONTACT: Teri Rose, Compliance Manager, 510-346-1282 or terirose@georgemark.org.



RECEIPT OF NOTICE OF PRIVACY PRACTICES

Patient Name: _____ Date of Admission: _____

My signature on this form acknowledges that I/we have received a copy of the George Mark Children's House Notice of Privacy Practices. I/we understand that this document provides an explanation of the ways in which my/our child's health information may be used or disclosed by George Mark Children's House and of my/our rights with respect to my/our child's health information.

I/we have been provided with the opportunity to discuss concerns I/we may have regarding the privacy of my/our child's health information.

PCG's Signature

Date

Relationship to Patient

Date

TO BE COMPLETED BY ADMITTING CLINICIAN IF FORM IS NOT SIGNED

1. Was the patient/PCG provided with a copy of the hospice's Notice of Privacy Practices?
 Yes No
2. Briefly describe efforts made to obtain the patient/PCG's acknowledgment of receipt of the Notice and explain why the patient/PCG was not able or willing to sign this form:

Signature of Admitting Nurse

Date