

## **NOTICE OF PRIVACY PRACTICES**

*Effective April 10, 2009*

*Revised: July 16, 2010*

**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.**

### **I. The ALARIS Group Inc.'s DUTIES**

The ALARIS Group Inc. ® respects the privacy of your health information and keeps records of the care and guidance you receive from our service providers. Although The ALARIS GROUP, Inc.® is not expressly deemed a Covered Entity, it intends to voluntarily comply, as reasonably feasible, with federal security and privacy laws, rules and regulations, including but not limited Health Insurance Portability and Accountability Act of 1996 (“HIPAA”); the Health Information Technology for Economic and Clinical Health Act (“HITECH Act”); and their respective regulations as promulgated by the United States Department of Health and Human Services (which include but are not limited to the Privacy Rule and the Security Rule).

The ALARIS Group, Inc. ®, in the interest of voluntarily complying with federal security and privacy laws, will maintain the privacy of your health information and will provide you with notice of its legal duties and privacy practices with regard to your health information. If you are under 18 years of age or otherwise incapacitated, your parent or legal guardian will handle your privacy rights for you where appropriate. The ALARIS Group Inc. ® will comply with the terms of this Notice of Privacy Practices.

### **II. HOW THE ALARIS GROUP USES AND DISCLOSES YOUR PROTECTED HEALTH INFORMATION:**

We will use and disclose your health information outside of ALARIS for the reasons set out in this notice. We will use and disclose your health information for purposes of treatment, payment, and health care operations. We will also use and disclose to you your health information in certain instances.

Specifically, we will use and disclose your health information to provide you with health care advice and guidance within the scope of practice for registered nurses. We will also provide The ALARIS Group Medical Director with your health information for the purpose of reviewing any and all health care advice and guidance administered by The ALARIS Group nurses.

**TREATMENT:** The following are some examples of how The ALARIS Group will use and disclose your health information relative to treatment:

- (a) The ALARIS Group will use your health information to assess your physical, functional, mental, and nutritional status depending on identified concerns.
- (b) The ALARIS Group may use your health information to perform a functional assessment to determine whether you are able to bathe, groom, and care for yourself safely in your home.
- (c) The ALARIS Group may allow your health information to be reviewed by its medical director when necessary to insure that any treatment or advice administered by ALARIS is appropriate.
- (d) The ALARIS Group will discuss the findings of its assessments with your health care provider in order to facilitate treatment considerations. For example, we will communicate with your physician or other health care providers that an assessment has been performed and indicates that you are unable to take medications as prescribed.
- (e) We may recommend that additional healthcare providers participate in your care. These providers include, but are not limited to: Home Health Agencies, Personal Care Attendants, Physicians, Psychologists, or Pharmacists. If you agree to use one of the aforementioned providers, we will use and disclose your health information to the provider to facilitate the seamless care of you.
- (f) We may further use or disclose your health information to your therapist regarding our assessment of your home environment to allow them to individualize your therapy to meet the requirements of your home.

**PAYMENT:** The ALARIS Group will use and disclose your health information so that the services provided by ALARIS may be invoiced and paid for by you or a third-party. For example, The ALARIS Group may describe the services it provided to you in its invoices so that ALARIS is paid for the services it provided you.

**HEALTH CARE OPERATIONS:** The ALARIS Group may use your health information outside of ALARIS for its health care operations. For example, The ALARIS Group medical director may use your health information to review and evaluate the care provided to you by our Care Managers. We may also disclose or use health information for quality improvement purposes.

**FOLLOW-UP:** The ALARIS Group may contact you by phone or in person to follow up on your health care status. The ALARIS Group may also contact you to discuss treatment alternatives or other health-related benefits and services that may be of interest to you.

**LEGAL MATTERS:** The ALARIS Group may use and disclose your health information when authorized and/or required by law.

**DIRECTORY:** The ALARIS Group does not maintain a directory and will not use or disclose your health information for such a directory.

**NOTIFICATION:** The ALARIS Group, in certain instances, may use your health information to notify or assist in the notification of a family member, a personal representative, or another person responsible for your care of your location, general condition or death.

**PUBLIC HEALTH AUTHORITY:** The ALARIS Group, in certain instances, may disclose your health information for certain public health activities and purposes.

**MARKETING AND/OR FUNDRAISING:** The ALARIS Group will not use or disclose your health information for the purpose of raising funds for its' own benefit. In addition, The ALARIS Group will not disclose your health information in exchange for direct or indirect remuneration without your prior written consent. Please note that The ALARIS Group is not obligated to obtain your prior written consent if it sells, transfers or mergers all or part of its corporate assets.

**BUSINESS ASSOCIATES:** The ALARIS Group may use and disclose your health information to its contractual business associates provided that they agree in writing to protect your health information as may be required by federal law.

### **III. OTHER USES AND DISCLOSURES OF HEALTH INFORMATION:**

Any other uses and disclosures of health information will only be made with your written authorization. Said authorization may be revoked at any time except (1) to the extent that action has been taken in reliance thereon or (2) if the authorization was obtained as a condition of obtaining insurance coverage, other law provides the insurer with the right to contest a claim under the policy or the policy itself.

### **IV. YOU HAVE THE FOLLOWING RIGHTS WITH REGARD TO YOUR HEALTH INFORMATION:**

**1. Right to request restrictions as to your health information.** You have the right to ask The ALARIS Group to restrict its uses and disclosures of your protected health information to carry out treatment, payment, or health care operations. The ALARIS Group is not required to agree to your request for a restriction, unless the restriction is to not disclose to a health plan for payment or health care and The ALARIS Group has already been paid in full for services related to your restricted health information. If The ALARIS Group agrees with your request for a restriction, it may not use or disclose your health information in violation of the restriction unless the information is needed to provide you with emergency treatment. You may contact The ALARIS Group Privacy Officer to request a restriction.

**2. Right to receive confidential communications.** You have the right to request to receive communications of protected health information from The ALARIS Group by alternative means or an alternative location. The ALARIS Group must accommodate reasonable requests. The ALARIS Group may condition its accommodation by requesting how payment, if any, will be handled; an alternative address; or details as to any other method of contact. The ALARIS Group cannot ask you to explain the basis of your request. Any request of this nature must be made to The ALARIS Group Privacy Officer in writing.

**3. Right to inspect and copy protected health information.** You have the right to request to inspect and/or copy your protected health information that is found in your designated record set for as long as your protected health information is maintained by The ALARIS Group with some exceptions. The ALARIS Group designated record set includes the following: any medical records and billing records maintained by The ALARIS Group about you and any records used by The ALARIS Group to make decisions about you. The ALARIS Group may charge you a reasonable fee for copies of your health information. If The ALARIS Group maintains your health information electronically, The ALARIS Group will provide you with an electronic form of your requested health information.

In certain instances, you may have the right to appeal a denial of a request to inspect and/or copy protected health information. You may not be permitted to inspect or copy the following: psychotherapy notes; information compiled in reasonable anticipation of, or for use in, a civil, criminal, or administrative action or proceeding; and protected health information that is subject to laws that prohibit access to protected health information. Any questions regarding your right to inspect and copy information may be directed to The ALARIS Group Privacy Officer.

**4. Right to amend protected health information.** You have the right to request an amendment to your protected health information or a record in a designated record set for as long as the protected health information is maintained by The ALARIS Group. Your request for amendment, however, may be denied by The ALARIS Group in certain circumstances and within certain time limits. If The ALARIS Group denies your request, it must provide you with a written denial and will explain your options.

Any requests for amendments must be made to The ALARIS Group Privacy Officer, must be made in writing, and must provide a reason to support the request.

**5. Right to receive an accounting.** You have the right to receive an accounting of some disclosures of your protected health information made by The ALARIS Group. An accounting will not include records relating to the carrying out of treatment, payment, and health care operations among other disclosures exempted

by law. The ALARIS Group will provide an accounting within 30 days unless otherwise notified. The first accounting requested in any 12-month period shall be free; however, The ALARIS Group will charge a fee for any subsequent request within the same 12 month period.

The ALARIS Group will not provide an accounting of disclosures prior to April 9, 2009. It will also not provide an accounting of any disclosures made more than six years prior to your request. All requests for accounting must be made to The ALARIS Group Privacy Officer.

**6. Right to obtain a paper copy of this notice upon request.** You have the right to obtain a paper copy of this notice upon request even if you have agreed to receive this notice electronically.

## **V. CHANGES TO THIS NOTICE**

The ALARIS Group reserves the right to change the terms of this Notice and to make any new Notice effective for all protected health information we maintain about you. Any new Notice of Privacy Practice will be posted on our website at [www.alarisgroup.com](http://www.alarisgroup.com) and provided to you by United States mail. The effective date of this Notice is on the first page at the center of the document near the top.

## **VI. COMPLAINTS**

You may direct any questions regarding your privacy rights to Lori Casteel, The ALARIS Group Privacy Officer, at 1.866.336.7226,. If you believe your privacy rights have been violated, you may file a complaint with The ALARIS Group Privacy Officer, Lori Casteel, via telephone at 1.866.336.7226, via email at [privacy.officer@alarisgroup.com](mailto:privacy.officer@alarisgroup.com), via website at [www.alarisgroup.com](http://www.alarisgroup.com) (click on the “privacy” link at the bottom of the page), or you may file a complaint with the Secretary of the Department of Health and Human Services – Office for Civil Rights. You will not be penalized or retaliated against for filing a complaint.