

TOWN AND COUNTRY MANOR
NOTICE OF PRIVACY PRACTICES
FOR PROTECTED HEALTH INFORMATION

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.

A. INTRODUCTION

During the course of providing services and care to you, Town and Country Manor of the Christian and Missionary Alliance (“Town and Country Manor”) gathers, creates, and retains certain personal information about you that identifies who you are and relates to your past, present, or future physical or mental condition, the provision of health care to you, and payment for your health care services. This personal information is characterized as your “protected health information.” This Notice of Privacy Practices describes how Town and Country Manor maintains the confidentiality of your protected health information, and informs you about the possible uses and disclosures of such information. It also informs you about your rights with respect to your protected health information.

B. TOWN AND COUNTRY MANOR’S RESPONSIBILITIES

Town and Country Manor is required by federal and state law to maintain the privacy of your protected health information. Town and Country Manor is also required by law to provide you with this Notice of Privacy Practices that describes Town and Country Manor’s legal duties and privacy practices with respect to your protected health information. Town and Country Manor will abide by the terms of this Notice of Privacy Practices. Town and Country Manor reserves the right to change this or any future Notice of Privacy Practices and to make the new notice provisions effective for all protected health information that it maintains, including protected health information already in its possession. The notice will be made available to you upon request. In addition, the notice will be posted in a clear and prominent place in the facility and on the Town and Country Manor website.

C. USE AND DISCLOSURE WITH YOUR AUTHORIZATION

Town and Country Manor will require a written authorization from you before it uses or discloses your protected health information, unless a particular use or disclosure is expressly permitted or required by law without your authorization. Town and Country Manor has prepared an authorization form for you to use that authorizes Town and Country Manor to use or disclose your protected health information for the purposes set forth in the form. You are not required to sign the form as a condition to obtaining treatment or having your care paid for. If you sign an authorization, you may revoke it at any time by written notice. Town and Country Manor then will not use or disclose your protected health information, except where it has already relied on your authorization.

D. HOW TOWN AND COUNTRY MANOR MAY USE AND DISCLOSE YOUR PROTECTED HEALTH INFORMATION WITHOUT YOUR AUTHORIZATION

1. Mandatory Disclosures

Town and Country Manor will disclose protected health information to outside persons or entities without your written authorization as required by law in the following circumstances:

a. Court Order; Order of Administrative Tribunal

Town and Country Manor will disclose protected health information in accordance with an order of a court or of an administrative tribunal of a government agency.

b. Subpoena

Town and Country Manor will disclose protected health information in accordance with a valid subpoena issued by a party to adjudication before a court, an administrative tribunal, or a private arbitrator. Reasonable efforts will be made to notify you of the subpoena, or attempts will be made to obtain an order or agreement protecting your protected health information.

c. Law Enforcement Agencies

Town and Country Manor will disclose protected health information to law enforcement agencies in accordance with a search warrant, a court order or court-ordered subpoena, or an investigative subpoena or summons.

d. Coroner

Town and Country Manor will disclose protected health information to a coroner where the coroner requests the information to identify a decedent; to notify next of kin; or to investigate deaths that may involve public health concerns, suspicious circumstances, elder abuse, or organ or tissue donation.

e. Elder Abuse Reporting

Town and Country Manor will disclose protected health information about a resident who is suspected to be the victim of elder abuse to the extent necessary to complete any oral or written report mandated by law. Under certain circumstances, Town and Country Manor may disclose further protected health information about the resident to aid the investigating agency in performing its duties. Town and Country Manor will promptly inform the resident about any disclosure unless Town and Country Manor believes that informing the resident would place the resident in danger of serious harm, or would be informing the resident's personal representative, whom the Provider believes to be responsible for the

abuse, and believes that informing such person would not be in the resident's best interest.

f. Other Disclosures Required by Law

Town and Country Manor will disclose protected health information about a resident when otherwise required by law.

2. Permissive Disclosures

Town and Country Manor may, in its discretion, use or disclose your protected health without your written authorization in the following circumstances:

a. Your Care and Treatment

Town and Country Manor may use or disclose your protected health information to provide you with or assist in your treatment, care and services. For example, Town and Country Manor may disclose your health information to health care providers who are involved in your care to assist them in your diagnosis and treatment, as necessary. Town and Country Manor may also disclose your protected health information to individuals who will be involved in your care if you leave Town and Country Manor.

b. Billing and Payment

i. Medicare, Medi-Cal and Other Public or Private Health Insurers –

Town and Country Manor may use or disclose your protected health information to public or private health insurers (including medical insurance carriers, HMOs, Medicare, and Medi-Cal) in order to bill and receive payment for your treatment and services that you receive at Town and Country Manor. The information on or accompanying a bill may include information that identifies you, as well as your diagnosis, procedures, and supplies used.

ii. Health Care Providers – Town and Country Manor may also disclose your protected health information to health care providers in order to allow them to determine if they are owed any reimbursement for care that they have furnished to you and, if so, how much is owed.

c. Health Care Operations

Town and Country Manor may use your protected health information for health care operations at Town and Country Manor. These uses and disclosures are necessary to manage Town and Country Manor and to monitor our quality of services and care. For example, we may use your protected health information to review our services and to evaluate the performance of our staff in caring for you.

d. Licensing and Accreditation

Town and Country Manor may disclose your protected health information to any government or private agency, such as to the California Department of Public Health and the California Department of Social Services, responsible for licensing or accrediting Town and Country Manor so that the agency can carry out its oversight activities. These oversight activities include audits; civil, administrative, or criminal investigations; inspections; licensure or disciplinary actions; civil, administrative, or criminal proceedings or actions; or other activities necessary for appropriate oversight.

e. Provision of Basic Information about Residents

Town and Country Manor allows staff to provide certain basic information about a resident to persons who ask for the resident by name and to members of the clergy. Unless you notify Town and Country Manor that you object, it will disclose your name, your location in Town and Country Manor, and your general condition to anyone who asks for you by name. It will disclose your name, your location in Town and Country Manor, your general condition, and your religious affiliation to members of the clergy.

f. Individuals Involved in Your Care or Payment for Your Care

Unless you specifically object, Town and Country Manor may disclose to a family member, other relative, a close personal friend, or to any other person identified by you, all protected health information directly relevant to such person's involvement with your care or directly relevant to payment related to your care. Town and Country Manor may also disclose your protected health information to a family member, personal representative, or other person responsible for your care to assist in notifying them of your location, general condition, or death.

g. Disaster Relief

Town and Country Manor may disclose your protected health information to a public or private entity authorized to assist in disaster relief efforts.

h. Disclosures within Provider Community

Unless you specifically object, Town and Country Manor may disclose certain general information about you (e.g., past activities, present interests, birthday, and location if hospitalized) to members of its community, including other residents and staff, by means such as newsletter or bulletin board.

i. Business Associates

Town and Country Manor may contract with certain individuals or entities to provide services on its behalf. Examples include data processing, quality assurance, legal, or accounting services. Town and Country

Manor may disclose your protected health information to a business associate, as necessary, to allow the business associate to perform its functions on the Town and Country Manor's behalf. Town and Country Manor will have a contract with its business associates that obligate the business associates to maintain the confidentiality of your protected health information.

j. Marketing

Town and Country Manor may use protected health information or disclose it to business associates in order to make face-to-face communications with you about a service or product or to provide you with a promotional gift of nominal value. Otherwise, it will obtain a specific written authorization from you or your personal representative before using or disclosing protected health information for marketing purposes.

k. Fundraising

Town and Country Manor may use certain protected health information to contact you in an effort to raise money for Town and Country Manor and its operations. Town and Country Manor may disclose the protected health information to business associates or to related foundations that it uses to raise funds for its own benefit. Town and Country Manor will disclose only your name, address and telephone number and the dates you received health care services. You may notify Town and Country Manor in writing if you object to such disclosures.

l. Sale of Protected Health Information

Town and Country Manor may disclose your protected health information for remuneration in certain vary narrow circumstances such as where a governmental agency reimburses it for its expenses in providing information for public health purposes.

m. Research

Town and Country Manor may disclose your protected health information for research purposes, provided that an outside Institutional Review Board overseeing the research approves the disclosure of the information without a written authorization.

n. Public Health Activities

Town and Country Manor may disclose your protected health information to any public health authority that is authorized by law to collect it for purposes of preventing or controlling disease, injury, or disability.

o. Hospital Peer Review

Town and Country Manor may disclose your protected health information to hospital medical staffs to aid in the credentialing of applicants and in the peer review of members.

q. Coroner

Town and Country Manor may disclose protected health information to the coroner to allow the coroner to perform its duties.

r. Organ Procurement

If you are an organ donor, Town and Country Manor may disclose your protected health information following your death to an organ procurement agency or tissue bank in order to aid in using your organs or tissues in transplant.

E. YOUR RIGHTS REGARDING PROTECTED HEALTH INFORMATION

You have the following rights with respect to your protected health information. To exercise these rights, contact Town and Country Manor at the following address: Town and Country Manor, 555 East Memory Lane, Santa Ana, California 92706, Attention: Privacy Official.

a. Right to Receive a Copy of the Notice of Privacy Practices

You have the right to request and receive a copy of Town and Country Manor's Notice of Privacy Practices for Protected Health Information in written or electronic form.

b. Right to Request Special Privacy Protections

You have the right to request restrictions on the use and disclosure of your protected health information for treatment, payment or health care operations, or providing notifications regarding your identity and status to persons inquiring about or involved in your care. Town and Country Manor is not required to grant your request, but if it does, it will comply with your request, except in an emergency situation or until the restriction is terminated by you or Town and Country Manor. You also have the right to request that Town and Country Manor communicate protected health information to the recipient by alternative means or at alternative locations.

c. Right to Request Access

You have the right to inspect and copy your health records maintained by Town and Country Manor. This includes the right to have electronic records made available in electronic format to you or to someone whom you designate. In certain limited circumstances, Town and Country Manor may deny your request as permitted by law. However, you may be given an opportunity to have such denial reviewed by an independent licensed health care professional.

d. Right to Request Amendment

You have the right to request an amendment to your health records maintained by Town and Country Manor. If your request for an amendment is denied, you will receive a written denial, including the reasons for such denial, and an opportunity to submit a written statement disagreeing with the denial.

e. Right to an Accounting

You have the right to receive an accounting of disclosures of your protected health information created and maintained by Town and Country Manor. Town and Country Manor is not required to provide an accounting of certain routine disclosures or of disclosures of which you already are aware.

F. COMPLAINTS

If you believe that your privacy rights have been violated, you may file a complaint with Town and Country Manor at the following address: 555 East Memory Lane, Santa Ana, California 92706, Attention: Privacy Official. You also have the right to submit a complaint to the Secretary of the U.S. Department of Health and Human Services, 90 7th Street, Suite 4-100, San Francisco, California 94103, Telephone: (415) 437-8310, Fax: (415)437-8329, TDD: (415)437-8311, Attention OCR Regional Manager. **Town and Country Manor will not retaliate against you if you file a complaint.**

G. FURTHER INFORMATION

If you have questions about this Notice of Privacy Practices or would like further information about your privacy rights, contact Town and Country Manor at the following address: 555 East Memory Lane, Santa Ana, California 92706, Attention: Privacy Official.