

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW THIS NOTICE CAREFULLY.**

Midstate Independent Living Consultants, Inc.'s  
Notice of Privacy Practices: Effective July 1, 2013

The following is the Notice of Privacy Practices ("NPP") of Midstate Independent Living Consultants, Inc. ("MILC") as described in the Health Insurance Portability and Accountability Act of 1996 and regulations promulgated thereunder, commonly known as HIPAA. HIPAA requires MILC by law to maintain the privacy of your personal health information and to provide you with notice of MILC's legal duties and privacy policies with respect to your personal health information. MILC is required by law to abide by the terms of this Privacy Notice.

MILC has established this NPP to guard against unnecessary disclosure of your health information. You will be asked to acknowledge receipt of this NPP in writing during an admission encounter. We will also post the most current NPP to our organizational website. At any time, you may request a copy of our most current NPP.

Please contact the Privacy Officer for the Plan at 1-800-382-8484 ext. 226 if you have any questions about this NPP.

**Your Personal Health Information**

MILC may use your personal health information, that is, information that constitutes Protected Health Information ("PHI") as defined in the Privacy Rule of the Administrative Simplification provisions of HIPAA, for purposes of providing you treatment, obtaining payment for your care and conducting health care operations.

The following is a summary of the circumstances under which and purposes for which your health information may be used and disclosed without consent or authorization:

- *For Treatment:* MILC may use your health information to provide care to you and describe your health information to others who provide care to you. MILC also may disclose your health care information to individuals outside of MILC involved in your care including your doctor to obtain treatment orders or information received from any hospital, or other health care facility you may be admitted to or discharged from, family members, suppliers of medical equipment or other health care professionals.
- *For Payment:* MILC may include your health information in invoices to collect payment from the following, including but not limited to, your insurance company, self-funded or third party health plan, Medicare, Medicaid, or any other person or entity that may be responsible for paying or processing any portion of your bill for payment of services.
- *For Health Care Operations:* MILC may use and disclose health information for its own operations in order to facilitate the function of MILC and as necessary to provide quality of care to all of MILC's consumers. Health care operations include activities such as:
  - Quality assessment and improvement activities.
  - Activities designed to improve health or reduce health care costs.
  - Protocol development, case management and care coordination.

- Contacting health care providers and consumers with information about treatment alternatives and other related functions that do not include treatment.
  - Professional review and performance evaluation
  - Training programs including those in which trainees or practitioners in health care learn under supervision.
  - Training of non-health care professionals.
  - Accreditation, certification, licensing or credentialing activities.
  - Review and auditing, including compliance review, medical reviews, legal services and compliance programs.
  - Business management and general administrative activities of MILC.
  - For example, MILC may use your health information to evaluate its staff performance, combine your health information with other MILC consumers in evaluating how to more effectively serve all of MILC's consumers, disclose your health information to MILC's staff and contracted personnel for training purposes, use your health information to contact you as a reminder regarding a visit to you, or contact you or your family as part of general fundraising and community information mailings (unless you tell us you do not want to be contacted).
- In emergency treatment situations, if MILC attempts to obtain consent as soon as practicable after treatment;
  - Where substantial barriers to communication with you exist and MILC determines that the consent is clearly inferred from the circumstances;
  - Where MILC is required by law to provide treatment and we are unable to obtain consent;
  - Where the use or disclosure is required by law;
  - For appointment reminders;
  - For certain public health activities;
  - Where MILC reasonably believes you are a victim of abuse, neglect, or domestic violence;
  - Health care oversight activities;
  - Certain legal proceedings;
  - Certain law enforcement purposes;
  - To coroners, medical examiners and funeral directors, in certain circumstances;
  - For cadaveric organ, eye or tissue donation purposes;
  - For certain research purposes;
  - To avert a serious threat to health or safety;
  - For specialized government functions, including military and veterans activities, national security and intelligence activities, protective services for the President and others, medical sustainability determinations, correctional institution and custodial situations;
  - For Workers' Compensation purposes.

The following is a summary of the circumstances under which and purposes for which your health information may be used and disclosed only with your consent or authorization:

- Most uses and disclosures of psychotherapy notes;
- Uses and disclosures of PHI for marketing purposes, including subsidized treatment communications;
- Disclosures that constitute a sale of PHI; and
- Other uses or disclosures of your PHI not described in this NPP.

*Personal Representatives:* MILC may disclose your PHI to individuals authorized by you, or to an individual designated as your personal representative, attorney-in-fact, etc., so long as you provide MILC with a written notice/authorization and any supporting documents (i.e., power of attorney). Under the HIPAA privacy rule, the Plan does not have to disclose information to a personal representative if we have a reasonable belief that: (1) you have been, or may be subject to domestic violence, abuse or neglected by such person; or (2) treating such person as your personal representative could endanger you; and (3) in the exercise of professional judgment, it is not in your best interest to treat the person as your personal representative.

You may revoke written authorization at any time, so long as the revocation is in writing. Once MILC receives the written revocation, it will only be effective for future uses and disclosures. It will not be effective for any information that may have been used or disclosed in reliance upon the written authorization and prior to receiving your written revocation.

### **Your Rights Regarding Your Personal Health Information**

The following are your various rights as a consumer under HIPAA concerning your PHI. Should you have questions about a specific right, please contact the Privacy Officer at 1-800-382-8484 ext. 226.

- *Right to Inspect and Copy Your PHI:* You have the right to inspect and copy your health information, including billing records. A request to inspect and copy your health information may be made to the HIPAA Privacy Official at 1-800-382-8484 ext. 226. If you request a copy of your health information, MILC may charge a reasonable fee for copying and assembling costs associated with your request.
- *Right to Amend Your PHI:* You or your representative have the right to request that MILC amend your records, if you believe your health information records are incorrect or incomplete. That request may be made as long as the information is maintained by MILC. A request for an amendment of records must be made in writing to the HIPAA Privacy Official, c/o Midstate Independent Living Consultants, Inc., 3262 Church Street, Suite 1, Stevens Point, WI 54481. MILC may deny the request if it is not in writing or does not include a reason for the amendment. The request may also be denied if your health information records were not created by MILC, if the records you are requesting are not part of MILC's records, if the health information you wish to amend is not part of the health information you or your representative are permitted to inspect and copy, or if, in the opinion of MILC, the records containing your health information are accurate and complete.
- *Right to an Accounting of Disclosures:* You or your representative have the right to request an "accounting" of certain disclosures of your PHI made by MILC for certain purposes authorized by law and certain research. To request this list or accounting of disclosures, you must submit your request in writing to the Privacy Officer listed above. Your request must state the time period from which you want to receive a list of disclosures. The time period may not be longer than six years and may not include dates before April 14, 2003. Your request should indicate in what form you want the list (for example, on paper or electronically). The first list you request within a 12-month period will be free. We may charge you for responding to any additional requests. 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.
- *Right to Request Restrictions:* You have the right to request a restriction or limitation on PHI we use or disclose about you for treatment, payment or health care operations, or that we disclose to someone who may be involved in your care or payment for your care, like a family member or friend. The request must be in writing, and should identify the information to be restricted, the

type of restriction being requested (for example, a restriction on the use of information, the disclosure of the information, or both), and to whom the restrictions should apply. MILC may choose not to comply with a restriction request, unless you have paid for services out-of-pocket, in full, and you request that MILC not disclose PHI related solely to those services to a health plan. If we do comply with the request, we will honor the restriction except where required MILC is required by law to make a disclosure until you revoke it or we notify you. If you wish to make a request for restrictions, please contact the HIPAA Privacy Official at 1-800-382-8484 ext. 226.

- *Right to Request Confidential Communications:* You have the right to request that we communicate with you about PHI in a certain way. For example, you can ask that MILC only conduct communications pertaining to you health information with you privately with no other family members present. If you wish to receive confidential communications, you must make your request in writing to the HIPAA Privacy Official at 1-800-382-8484 ext. 226. We will attempt to honor your reasonable request for confidential communications.
- *Right to be Notified of a Breach:* You have the right to be notified in the event that we (or a Business Associate) discover a breach of unsecured PHI.
- *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 at any time. Even if you have agreed to receive this notice electronically, you are still entitled to a paper copy of this notice.
- *Disclosure of Genetic Information:* MILC is prohibited from using or disclosing your genetic information for underwriting purposes.

## **Additional Information**

*Changes to This Notice:* MILC reserves the right to change the terms of this NPP at any time, and to make the new NPP effective for all PHI that it maintains. If there is a change to the terms of the NPP, MILC will provide you with a written, revised notice as soon as practicable by mail.

You may have additional rights under other applicable laws. For additional information regarding the Privacy Officer for the Plan or our general privacy policies, please contact us at 1-800-382-8484 ext. 226.

## **Complaints**

If you believe that your privacy rights have been violated, you may file a complaint with MILC or the Secretary of the Department of Health and Human Services. You will not be penalized for filing a complaint.

To file a complaint with the Secretary of the Department of Health and Human Services, contact: Secretary of The U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Washington, D.C. 20201; or at 1-877-696-6775.

To file a complaint with MILC, contact: Human Resources Director, Midstate Independent Living Consultants, Inc., 3262 Church Street, Suite 1, Stevens Point, WI 54481; or 1-800-382-8484 ext. 226. All complaints must be submitted in writing.