

City of Vineland
Emergency Medical Service

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.***

WHO WE ARE

This Notice describes the privacy practices of the City of Vineland Emergency Medical Service, our employed EMTs and other personnel (collectively, herein, as “Vineland EMS”, “we”, or “us”). It applies to services rendered to you by any City of Vineland EMS employee. This is how we protect your rights at the City of Vineland EMS.

OUR PRIVACY OBLIGATIONS

Vineland EMS is required by law to maintain the privacy of your health information (“Protected Health Information” or “PHI”) and to provide you with this Notice of our legal duties and privacy practices with respect to your PHI. When we use or disclose you PHI, we are required to abide by the terms of this Notice which may be amended from time to time. In all cases where we may share your medical information with others, we share only the **minimum necessary** amount of information required to satisfy the need or request.

PREMISSIBLE USES AND DISCLOSURES WITHOUT YOUR WRITTEN AUTHORIZATION

In certain situations, which this Notice describes below, Vineland EMS must obtain your written authorization in order to use and/or disclose your PHI. However, Vineland EMS will not need any type of authorization from you for the following uses and disclosures:

Treatment, Payment, and Health Care Operations Vineland EMS may use and disclose your PHI in order to treat you in an emergency or non emergency, obtain payment for services provided to you and conduct our “health care operations” as listed below:

1. Treatment. Vineland EMS will use and disclose your PHI to provide treatment and other services to you (i.e. to diagnose and treat your illness or injury). Also, we may contact you to provide information about other health-related benefits and services that may be of interest to you. We may also disclose PHI to the attending emergency room physician and other providers (i.e. Paramedics, Nurses, and/or home health aides) involved in your treatment.
2. Payment. Vineland EMS may use and disclose your PHI to obtain payment for services rendered to you (i.e. disclosures to claim and obtain payment from your health insurer, HMO, or other company that arranges or pays for some or all of your health care, to verify that your health plan will pay for your health care). Vineland EMS may also share your insurance information with other medical providers involved with your treatment. These other medical providers who treated you are separate entities, for that reason they are not employed by Vineland EMS.
3. Health Care Operations. Vineland EMS may use and disclose your PHI for our health care operations to improve the quality of care and cost effectiveness (i.e. evaluation of our employees quality and competence, teaching purposes to doctors, nurses, emergency medical technician students, interns, residents, volunteers, and other personnel). Vineland EMS may disclose your PHI to resolve any complaints you may have and ensure that you have been well cared for by Vineland EMS. Your PHI may disclose for quality assessment and improvement activities, reviewing the quality and competence of health care professionals, or for health care fraud and abuse detection or compliance.

Use or Disclosure for Directory of Individuals. Vineland EMS is not an in-patient facility, and does not maintain a patient directory. Consequently Vineland EMS will not use or disclose your PHI for use in a

directory.

Disclosure to Relatives, Close Friends, and Other Caregivers. Vineland EMS may use or disclose your PHI to a family member, a close personal friend, or any other person identified by you when you are present for or otherwise available prior to, the disclosure, if we:

1. Obtain your agreement.
2. Provide you with the opportunity to object to the disclosure and you do not object.
3. Reasonably infer that you do not object to the disclosure.

If you are not present, not given opportunity to agree or object, and/or due to your incapacity or emergency circumstance; Vineland EMS may implement our professional judgment to determine whether a disclosure is in your best interests. If Vineland EMS discloses your PHI to a family member, close personal friend, or any other caregivers that will be because we believe it is directly relevant to the person's involvement with your health care or payment related to your health care. If relatives, close family friends, and other care givers request your PHI via a distant means (i.e. telephone, fax, e-mail.) Vineland EMS will comply with our information security and privacy policies concerning distant requests. Vineland EMS may also disclose your PHI in order to notify (or assist in notifying) such persons for your location, general condition or death.

Public Health Activities. Vineland EMS may disclose your PHI for the following public health activities:

1. To report health information to public health authorities for purpose of preventing or controlling disease, injury, or disability.
2. To report child abuse and neglect to public health authorities or other government authorities authorized by law to receive such reports.
3. To report information about products and services under the jurisdiction of the U.S. Food and Drug Administration.
4. To alert a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading a disease or condition.
5. To report information to your employer(s) required under laws addressing work-related illnesses and injuries or workplace medical surveillance.

Victims of Abuse, Neglect, or Domestic Violence. If Vineland EMS reasonably believes you are a victim of abuse, neglect, or domestic violence, we may disclose your PHI to a government authority, including a social service or protective services agencies, authorized by law to receive reports of such abuse, neglect, or domestic violence.

Health Oversight Activities. Vineland EMS may disclose your PHI to a health oversight agency that oversees the health care system and is charged with responsibility for ensuring compliance with the rules of government health programs such as Medicare or Medicaid.

Judicial and Administrative Proceedings. Vineland EMS may disclose your PHI in the course of a judicial or administrative proceeding in response to a legal order or other lawful process, such as, under New Jersey state law, the request of a person (or his/her insurance carrier) against whom you have commenced a lawsuit for compensation or damages for your personal injuries.

Law Enforcement Officials. Vineland EMS may disclose your PHI to the police or other law enforcement officials as required or permitted by law or in compliance with a court order or a grand jury or administrative subpoena.

Decedents. Vineland EMS may disclose your PHI to a coroner or medical examiner as authorized by law. This may be necessary to identify a deceased person or determine the cause of death as examples. Vineland EMS may also release medical information about our patients to a funeral director as necessary to carry out their duties.

Organ and Tissue Procurement. If you are or become an organ donor, Vineland EMS may disclose your PHI to organizations that facilitate organ, eye, or tissue procurement, banking or transplantation.

Health or Safety. Vineland EMS may use or disclose your PHI to prevent or lessen a threat of imminent, serious physical violence against you or another readily identifiable individual or if there is a threat to the general public.

Specialized Government Functions. Vineland EMS may use and disclose your PHI to units of the government with special functions, such as the U.S. Military or the U.S. Department of State under certain circumstances.

Workers' Compensation. Vineland EMS may disclose your PHI as authorized by and to the extent necessary to comply with state law relating to workers' compensation or other similar programs.

Military and Veterans. Vineland EMS may release medical information about you as required by military command authorities if you are a member of the armed forces. Vineland EMS may also release medical information about foreign military personnel to the appropriate foreign military authority.

National Security and Intelligence Activities. Vineland EMS may release medical information about you to authorized federal officials for intelligence, counter-intelligence, and other national security activities authorized by law.

Protective Services for the President and Others. Vineland EMS may disclose medical information about you to authorized federal officials so they may provide protection to the President, other authorized persons or foreign heads of state or conduct special investigations.

Inmates. If you are an inmate of a correctional institution or in the custody of a law enforcement official, Vineland EMS may release medical information about you to the correctional institution or law enforcement official. This release would be necessary for as follows:

1. For the institution to provide you with health care.
2. To protect your health and safety or the health and safety of others.
3. For the safety and security of the correctional institution.

As Required by Law. Vineland EMS may use or disclose your PHI when required to do so by any other law or regulation not already referred to in this Notice.

Fundraising Communications. Vineland EMS does not have any fund raising activities and will not release your PHI for the purpose of raising funds.

USES AND DISCLOSURES REQUIRING YOUR WRITTEN AUTHORIZATION

Use or Disclosure with Your Authorization: For any purpose other than the ones described prior in this Notice. Vineland EMS may only use or disclose your PHI when you grant us your written authorization on our authorization form (i.e. you will need to execute an authorization form before Vineland EMS can send your PHI to your life insurance company or to the attorney representing the other party in litigation in which you are involved).

Marketing. Vineland EMS does not use medical information for marketing purposes.

HIV/AIDS Related Information. Your authorization must expressly refer to your HIV/AIDS related information in order to permit Vineland EMS to disclose your HIV/AIDS related information. However, there are certain purposes for which Vineland EMS may disclose your HIV/AIDS information, without obtaining your authorization. They are as follows:

1. Your diagnosis and treatment
2. Scientific research
3. Management audits, financial audits or program evaluation
4. Medical education
5. Disease prevention and control when permitted by the New Jersey Department of Health and Senior Services
6. To comply with a certain type of court order
7. When required by law, to the N.J. Department of Human and Senior Services or another entity.

You also should note that Vineland EMS may disclose your HIV/AIDS related information to third party payers (i.e. your insurance company or HMO) in order to receive payment for the services Vineland EMS provides to you.

Sexually Transmitted Disease Information. Your authorization must expressly refer to your sexually transmitted disease information in order to permit Vineland EMS to disclose any information identifying you as having or

being suspected of having a sexually transmitted disease. However, there are certain purposes for which Vineland EMS may disclose your sexually transmitted disease information, without obtaining your authorization including:

1. To a prosecuting officer or the court if you are being prosecuted under New Jersey state law
2. To the New Jersey State Department of Health and Human Services
3. To your physician or a health authority (i.e. local board of health)

Your physician or a health authority may further disclose your sexually transmitted disease information if he/she deems it necessary in order to protect the health or welfare of you, your family or the public. Under New Jersey state law, Vineland EMS may also grant access to your sexually transmitted disease information upon the request of a person (or his/her insurance carrier) against whom you have commenced a lawsuit for compensation or damages for your personal injuries/illnesses.

Psychotherapy Notes. Vineland EMS will obtain your authorization to disclose any psychotherapy notes as defined by law about you except under certain circumstances as permitted by regulation.

YOUR RIGHTS REGARDING YOUR PROTECTED HEALTH INFORMATION

Right to Request Additional Restrictions. You may request restrictions on Vineland EMS' use and disclosures of your PHI as follows:

1. For treatment, payment, and health care operations.
2. To individuals (i.e. family members, close personal friends, and any other person identified by you) involved with your care or with payment related to your care.
3. To notify or assist in the notification of such individuals regarding your location and general condition.

While Vineland EMS will consider all requests for additional restrictions carefully, Vineland EMS is not required to agree to a request for a restriction. If you wish to request additional restrictions, please obtain a request form from our office and submit the completed form to our office. Vineland EMS will send you a response within 30 days.

Right to Receive Confidential Communications. You may request, and Vineland EMS will accommodate, any reasonable written request for you to receive your PHI by alternative means of communication or at alternative locations.

Right to Revoke Your Authorization. You may revoke your authorization except to the extent that Vineland EMS has taken action in reliance upon it, by delivering a written revocation statement to our office identified in this pamphlet. A form of Written Revocation is available upon request from our office.

Right to Inspect and Copy Your Health Information. You may request access to your medical record file and billing records maintained by Vineland EMS in order to inspect and request copies of the records. Under limited circumstances, Vineland EMS may deny you access to a portion of your records. Vineland EMS will comply with the law if the physician says that review of any record would be harmful to your best interest. If you desire access to your medical records, please obtain a record request form from our office and submit the completed form to Vineland EMS. We may charge you a reasonable copying fee in accordance with New Jersey State law. You should take note that if you are a parent or legal guardian of a minor certain portions of the minor's medical record will not be accessible to you (i.e. records relating to pregnancy, sexually transmitted diseases, and substance use or abuse, and/or fertility awareness services).

Right to Amend Your Records. You have the right to request that Vineland EMS amend PHI maintained in your medical record file or billing records. If you desire to amend our records, please obtain an amendment request form from the Vineland EMS office and submit the completed form to the office. Vineland EMS will comply with your request unless Vineland EMS believes that the information that would be amended is accurate and complete or other special circumstances apply, or unless you are requesting us to amend your records "incorporated" into your record here at Vineland EMS. Vineland EMS will respond to your request to amend your records within 30 days of receiving the request. Vineland EMS is not required to amend incorporated records, such as records received from another health care facility or provider.

Right to Receive An Accounting of Disclosures. Upon request, you may obtain an accounting of certain disclosures of your PHI made by Vineland EMS during any period of time prior to the date of your request

provided such period does not exceed six years and does not apply to disclosures that occurred prior to April 14, 2003. If you request an accounting more than once during a 12 month period, Vineland EMS will charge you a reasonable amount for the accounting statement. Vineland EMS will respond to your request for an accounting statement of disclosures within 30 days of receiving the request.

Right to Receive Paper Copy of this Notice. Upon request, you may obtain a paper copy of this Notice, even if you have agreed to receive such Notice electronically. In an emergency situation, Vineland EMS will send you the Notice of Privacy Practices as soon as possible after the emergency, usually by mail.

EFFECTIVE DATE AND DURATION OF THIS NOTICE

Effective Date. This Notice is effective on April 14, 2003

Right to Change Terms of this Notice. Vineland EMS may change the terms of this Notice at any time. If Vineland EMS changes this Notice, Vineland EMS may make the new notice terms effective for all Protected Health Information that Vineland EMS maintains, including any information created or received prior to issuing the new notice. If Vineland EMS changes this Notice, Vineland EMS will post the new notice in a clear prominent location where it is reasonable to expect individuals seeking service from Vineland EMS to be able to read, and on our City of Vineland web site at www.ci.vineland.nj.us. Vineland EMS will not post this notice in our ambulances, as it would be unreasonable to do so, due to space limitations. You also may obtain any new notice by contacting the Vineland EMS office.

For Further Information, Complaints. If you desire further information about your privacy rights, are concerned that Vineland EMS has violated your privacy rights or disagree with a decision that Vineland EMS made about access to your PHI, you may contact City of Vineland EMS office. You may also file a written complaint with the Director, Office of Civil Rights of the U.S. Department of Health and Human Services.

VINELAND EMS WILL NOT RETALIATE AGAINST YOU IF YOU FILE A COMPLAINT WITH US OR THE DIRECTOR OF THE OFFICE OF CIVIL

RIGHTS. You may contact the City of Vineland Emergency Medical Service office (856) 794-6185 or mail us at 640 East Wood Street P.O. Box 1508 Vineland, NJ 08362-1508