

**NOTICE OF PRIVACY, RIGHTS POLICIES AND PRACTICES
ENCOMPASS HOME HEALTH**

This Notice of Privacy Rights, Policies and Practices describe how **Encompass Home Health** (the “**Agency**”) may use and disclose your health information, and how you may get access to this information, under the Federal HIPAA Privacy Regulation. This Notice complies with the Regulation.

Please read this Notice carefully.

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Your “health information” means the information that the Agency creates and maintains regarding you and your health status. Protecting your health information from unauthorized use and disclosure is required by the Privacy Regulation and is very important to the Agency.
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Summary

This Notice describes how we use your health information within the Agency and disclose it outside the Agency and why.

The Notice covers:

- A. Uses or disclosures which do not require your written authorization.
 - 1. Treatment, payment, and health care operations.
 - 2. Uses or disclosures of your health information to which you may object.
 - 3. Uses or disclosures required or permitted.
- B. Uses or disclosures which require your written authorization.
- C. Your rights as a patient regarding privacy of your health information.
- D. Our duties in protecting your health information.
- E. Uses of your health information to which you may object.
- F. Uses or Disclosures Required or Permitted
- G. Requests, complaints, contact person, effective date, and acknowledgment.

A. Uses or disclosures which do not require your written authorization
Treatment, Payment, and Health Care Operations

We use or disclose your health information to carry out your treatment; to obtain payment for your treatment; and to conduct health care operations.

For example:

- 1. For Treatment: we use your health information to plan, coordinate, and provide your care and treatment. We disclose your health information to physicians and other health care professionals outside our agency who are involved in your care. And we disclose your health information to bill Medicare or other third parties for payment for your care and treatment.
- 2. For payment: we use your health information to prepare documentation required by your insurance company or HMO or by Medicare or Medicaid. We disclose that part of your health information that these organizations require to pay us.
- 3. For health care operations: we use or disclose your health information, for example, to improve the quality of our services, to plan better ways of treating patients, and to evaluate staff performance.

B. Uses or disclosures which require your written authorization

Your written authorization, which you may revoke (in writing), is required if we use or disclose your health information for any purpose other than for treatment, payment or

health care operation, in particular:

- Our use of psychotherapy notes beyond treatment, payment and health care operations
- Marketing of goods or services to you.
- Disclosure to any persons other than those listed in item E, below.
- Disclosure to persons through the Agency website with a special access code.

C. Your Rights As A Patient to Privacy Of Your Health Information

Right to Request Restrictions

You have the right to request restrictions on our uses and disclosures of your health information; however we may refuse to accept the restriction.

Right to Request Confidential Communications

You have the right to request that we communicate with you confidentially, for example to speak with you only in private; to send mail to an address you designate; or to telephone you at a number you designate. Your request must be in writing. We will make every attempt to honor your request.

Right to Request Access to Your Health Information

You have the right to request access to your health information in order to inspect or copy it. Your request must be in writing on a form the Agency will provide. We may deny your request and, if so, you may request a review of the denial. However, we will make every attempt to honor your request. You may ask Agency caregiver for an Access Request form and a copy of the Access Procedures at any time.

Right to Request an Amendment of Your Health Information

You have the right to request an amendment to your health information. Your request must be in writing and must provide a reason for the amendment. We may deny your request and, if so, you may submit a statement of disagreement. However, we will make every attempt to honor your request.

Right to Request an Accounting of Disclosures of Your Health Information

You have the right to request an accounting of our disclosures of your health information for purposes other than treatment, payment, and health care operations. We will make every attempt to honor your request. We are not required to provide an accounting for disclosures before April 14, 2003 or for more than 6 years prior to the date of your request.

Right to Obtain a Paper Copy of this Notice

If you received this Notice electronically, you have the right to receive a paper copy, and you may request a paper copy from the Agency.

The Agency has a form for your use in exercising any of these rights. To exercise any of these rights, you may contact the Administrator for the Agency, or you may write or call the Agency's Compliance/Privacy Officer.

D. Our Duties in Protecting Your Health Information

1. We are required by law to maintain the privacy of your health information.
2. We must inform patients or their legal representatives of our legal duties and privacy practices with respect to health information. This Notice discharges that duty.
3. We must abide by the terms of the Notice currently in effect.

4. We reserve the right to change the terms of this Notice and to make the new Notice provisions effective for all health information that we maintain. At any time, you may obtain a copy of the current notice from the Agency Director of Nursing Services or Privacy Officer.
5. The Agency may not require or request you to waive your rights under the Privacy Rule as a condition of the provision of treatment, payment, enrollment in a health plan, or eligibility for benefits.

E. Uses or Disclosures of Your Health Information to Which You May Object

We may use or disclose your health information for the following purposes, unless you object and request we not. Your objections, if any, and any restrictions or authorizations you wish to place on the disclosure of your health information will be recorded by the Agency.

- Informing family and friends. Disclosures of your health information to family, friends, or others identified by you who are involved in your care.
- Assistance in disaster relief efforts.
- Confirming our visits to your home or other appointments.
- Informing you about treatment alternatives or other health-related benefits and services that may be of interest to you.

F. Uses or Disclosures Required or Permitted

Where we are required or permitted to do so, we may use or disclose your health information in the following circumstances without your written authorization.

Federal government investigation, when required by the Secretary of Health and Human Services to investigate or determine our compliance with federal regulation.

1. Federal, state or local law requirements.
2. Public health activities, for example to report communicable diseases or death; or for matters involving the Food and Drug Administration.
3. Reporting of abuse, neglect or domestic violence.
4. Health oversight activities by a health oversight agency. (A health oversight agency is an organization authorized by the government to oversee eligibility and compliance and to enforce civil rights laws.)
5. Judicial or administrative proceedings, for example responding to a court order or subpoena.
6. Law enforcement purposes, for example to report certain types of wounds or other physical injuries or to identify or locate a suspect, fugitive, material witness, or missing person.
7. Use by coroners, medical examiners, or funeral directors.
8. Facilitating organ, eye, or tissue donation.
9. Research, provided that very strict controls are enforced.
10. Averting a serious threat to your health or safety or that of the public.
11. Specialized government functions such as military or veterans' affairs; national security, and intelligence activities.
12. Workers' compensation

G. Requests, Complaints, Contact Person, Effective Date, and Acknowledgment

- You have the right to lodge a complaint with the Agency and/or with the Secretary of the U.S. Department of Health and Human Services if you believe your privacy rights have been violated.
- You will not be retaliated against for filing a complaint.
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- Complaints should be filed in writing and may be received by mail, fax, or email.
- You may make any requests, obtain additional information, or file a complaint with the Agency by contacting:

David Brown, Chief Compliance / Privacy Officer
Encompass Home Health, Corporate Office
6688 N. Central Expressway, Suite 1300
Dallas, TX. 75206
Toll-free telephone: 1-855-932-6675
Toll-free fax: 1-866-670-1249
Email: compliance@ehhi.com

You may file a complaint with the Secretary of Health and Human Services by writing to:

Secretary of Health and Human Services
U.S. Department of Health and Human Services
200 Independence Ave., S.W.
Washington, D.C. 20201

This notice is effective April 14, 2003

(rev. contact info. 2/11)