

Effective date: Oct 1, 2009

Affinity Hearing Notice of Privacy Practices

This document describes the type of information Affinity Hearing “<Affinity>” gathers about you, with whom that information may be shared, and the safeguards we have in place to protect it. You have the right to the confidentiality of your hearing health information and the right to approve or refuse the release of specific information except when the release is required by law. If the practice described in this notice meets your expectations, there is nothing you need to do. If you prefer that we not share information, we may honor your written request in certain circumstances described below. If you have any questions regarding this Privacy Notice, please contact Steve Chargo at Affinity Hearing, 3025 Harbor Lane N., Suite 105, Plymouth, Minnesota 55447.

Who Will Follow This Notice?

This notice describes Affinity’s practices and that of:

- Any health care professional authorized to enter information into your chart
- All departments and units of Affinity and other affiliates
- All employees, staff and other facility personnel

All these entities, sites and locations follow the terms of this notice. In addition, these entities, sites and locations may share health information with each other for purposes of treatment, payment, or healthcare operations described in this notice.

Our Pledge Regarding Health Information

We understand that information about you and your health is personal. We are committed to protecting the confidentiality of your health information. As part of our routine operations, we create a record of the care and services you receive. We need this record to provide you with quality care and to comply with certain legal requirements. This notice applies to all of the records of your care generated by Affinity, whether made by Affinity or your personal doctor.

This notice will tell you about the ways in which we may use and disclose health information about you. We also describe your rights and certain obligations we have regarding the use and disclosure of health information.

Federal law requires us to:

- Make sure that health information that identifies you is kept private
- Give you this notice of our legal duties and privacy practices with respect to health information about you
- Follow the terms of the notice that is currently in effect

How We May Use and Disclose Health Information About You

The following categories describe different ways that we use and disclose health information. For each category of uses or disclosures we will explain what we mean and try to give some examples. Not every use or disclosure in a category will be listed. However, all of the ways we are permitted to use and disclose information will fall within one of the categories.

- **For Treatment.** We may use health information about you to provide you with treatment or services. We may disclose health information about you to doctors, nurses, technicians, students, or other facility personnel who are involved in taking care of you at the facility. For example, an Audiologist treating you for a hearing deficiency may need to know if you have a neurological disorder. We also may disclose health information about you to people outside the facility who may be involved in your care after you leave the facility, such as your family physician, physicians that we refer you to for follow-up care, family members, clergy, or others we use to provide services that are part of your care.
- **For Payment.** We may use and disclose information about you so that the treatment and services you receive at the facility may be billed to and payment may be collected from you, an insurance company, or a third party. For example, we may need to give your health plan information so your health plan will pay us or reimburse you. We may also tell your health plan about a treatment you are going to receive to obtain prior approval or to determine whether your plan will cover the treatment.
- **For Health Care Operations.** We may use and disclose health information about you for facility operations. These uses and disclosures are necessary to run the facility and make sure that all of our patients receive quality care. For example, we may use health information to review our treatment and services and to evaluate the performance of our staff in caring for you. We may also combine health information about many facility patients to decide what additional services the facility should offer, what services are not needed, and whether certain new treatments are effective. We may also disclose information to doctors, nurses, technicians, students, and other facility personnel for review and learning purposes. We may also combine the information we have with health information from other facilities to compare how we are doing and see where we can make improvements in the care and services that we offer.
- **Appointment Reminders.** We may use and disclose information to contact you as a reminder that you have an appointment for treatment or care at the facility.
- **Treatment Alternatives.** We may use and disclose information to tell you about or recommend possible treatment options or alternatives that may be of interest to you.
- **Health-Related Benefits and Services.** We may use and disclose information to tell you about health-related benefits or services that may be of interest to you.
- **Individuals Involved in Your Care or Payment for Your Care.** We may release information about you to a friend or family member who is involved in your care. We may also give information to someone who helps pay for your care. We may also tell your family or friends your condition and that you are in the facility. In addition, we may disclose information about you to an entity assisting in a disaster relief effort so that your family can be notified about your condition, status and location.
- **As Required By Law.** We will disclose information about you when required to do so by federal, state or local law.

- **To Avert a Serious Threat to Health or Safety.** We may use and disclose information about you, when necessary, to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat.

Special Disclosure Situations

- **Military and Veterans.** If you are a member of the armed forces, we may release information about you as required by military command authorities.
- **Workers' Compensation.** We may release information about you to Workers' Compensation or similar programs. These programs provide benefits for work-related injuries or illness.
- **Public Health Risks.** We may disclose information about you for public health activities. These activities generally include the following:
 - To prevent or control disease, injury or disability
 - To report births and deaths
 - To report child abuse or neglect
 - To report reactions to medications or problems with products
 - To notify people of recalls of products they may be using
 - To notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition
 - To notify the appropriate government authority if we believe a patient has been the victim of abuse, neglect or domestic violence. We will only make this disclosure if you agree or when required or authorized by law
- **Health Oversight Activities.** We may disclose information to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.
- **Lawsuits and Disputes.** If you are involved in a lawsuit or a dispute, we may disclose information about you in response to a court or administrative order. We may also disclose information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.
- **Law Enforcement.** We may release information if asked to do so by a law enforcement official, including the following situations:
 - In response to a court order, subpoena, warrant, summons or similar process;
 - To identify or locate a suspect, fugitive, material witness, or missing person;
 - About the victim of a crime if, under certain limited circumstances, we are unable to obtain the person's agreement;
 - About a death we believe may be the result of criminal conduct;
 - About criminal conduct at the facility; and
 - In emergency circumstances to report a crime; the location of the crime or victims; or the identity, description or location of the person who committed the crime.

- **Coroners, Examiners, and Funeral Directors.** We may release information to a coroner or examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. We may also release information about patients of the facility to funeral directors as necessary to carry out their duties.
- **National Security and Intelligence Activities.** We may release information about you to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.
- **Inmates.** If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may release information about you to the correctional institution or law enforcement official. This release would be necessary (1) for the institution to provide you with health care; (2) to protect your health and safety or the health and safety of others; or (3) for the safety and security of the correctional institution.

Your Rights Regarding Information About You

You have the following rights regarding information we maintain about you:

- **Right to Inspect and Copy.** You have the right to inspect and copy information that may be used to make decisions about your care. Usually, this includes and billing records, but does not include psychotherapy notes.

To inspect and copy information that may be used to make decisions about you, you must submit your request in writing to Steve Chargo, Affinity Hearing, 3025 Harbor Lane N., Suite 105, Plymouth, Minnesota 55447. If you request a copy of the information, we may charge a fee for the costs of copying, mailing, or other supplies associated with your request.

We may deny your request to inspect and copy in certain very limited circumstances. If you are denied access to information, you may request that the denial be reviewed. Another licensed health care professional chosen by the facility will review your request and the denial. The person conducting the review will not be the person who denied your request. We will comply with the outcome of the review.

- **Right to Amend.** If you feel that information we have about you is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by or for the facility.

To request an amendment, your request must be made in writing and submitted to Steve Chargo, Affinity Hearing, 3025 Harbor Lane N., Suite 105, Plymouth, Minnesota 55447. In addition, you must provide a reason that supports your request.

We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that:

- Was not created by us, unless the person or entity that created the information is no longer available to make the amendment;
- Is not part of the information kept by or for the facility;
- Is not part of the information which you would be permitted to inspect and copy; or
- Is accurate and complete.

- **Right to an Accounting of Disclosures.** You have the right to request an "accounting of disclosures." This is a list of the disclosures we made of information about you. To request this list or accounting of disclosures, you must submit your request in writing to Steve Chargo, Affinity Hearing, 3025 Harbor Lane N., Suite 105, Plymouth, Minnesota 55447. Your request must state a time period that may not be longer than six years and may not include dates before February 26, 2003. Your request should indicate in what form you want the list (i.e., on paper or electronically). The first list you request within a 12-month period will be free. For additional lists, we may charge you for the costs of providing the list. 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 the information we use or disclose about you for treatment, payment, or health care operations. You also have the right to request a limit on the information we disclose about you to someone who is involved in your care, like a family member or friend. For example, you could ask that we not use or disclose information about a procedure that you had.

We are not required to agree to your request. If we do agree, we will comply with your request unless the information is needed to provide you emergency treatment.

To request restrictions, you must make your request in writing to Steve Chargo, Affinity Hearing, 3025 Harbor Lane N., Suite 105, Plymouth, Minnesota 55447. In your request, you must tell us (1) what information you want to limit; (2) whether you want to limit our use, disclosure or both; and (3) to whom you want the limits to apply, for example, disclosures to your spouse.

- **Right to Request Confidential Communications.** You have the right to request that we communicate with you about matters in a certain way or at a certain location. For example, you can ask that we only contact you at work or by mail.

To request confidential communications, you must make your request in writing to Steve Chargo, Affinity Hearing, 3025 Harbor Lane N., Suite 105, Plymouth, Minnesota 55447. We will not ask you the reason for your request. We will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

- **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.

Changes to this Notice

We reserve the right to change this notice. We reserve the right to make the revised or changed notice effective for information we already have about you as well as any information we receive in the future. We will post a copy of the current notice in the facility. The notice will contain on the first page, in the top right-hand corner, the effective date. In addition, each time you register at or are admitted to the facility for treatment or health care services as an inpatient or outpatient, we will offer you a copy of the current notice in effect.

Complaints

If you believe your privacy rights have been violated, you may file a complaint with Affinity Hearing or with the Secretary of the Department of Health and Human Services. To file a complaint with Affinity, contact Steve Chargo, 3025 Harbor Lane N., Suite 105, Plymouth, Minnesota 55447. All complaints must be submitted in writing.

You will not be penalized for filing a complaint.

Other Uses of Information

Other uses and disclosures of information not covered by this notice or the laws that apply to us will be made only with your written permission. If you provide us permission to use or disclose information about you, you may revoke that permission, in writing, at any time. If you revoke your permission, we will no longer use or disclose information about you for the reasons covered by your written authorization. You understand that we are unable to take back any disclosures we have already made with your permission, and that we are required to retain our records of the care that we provided to you.