

For Next Step Orthotics and Prosthetics Inc.
NOTICE OF PRIVACY PRACTICES

This notice was published and became effective as of April 14, 2003

OUR COMMITMENT TO PROTECT YOUR HEALTH INFORMATION

This Notice of Privacy Practices describes how we may use and disclose your protected health information, hereinafter called PHI, to carry out treatment, payment or health care operations and for other purposes that are permitted or required by law. It also describes your rights to access and control your PHI. Your PHI is defined as any written and verbal health information, including your demographic data that can be used to identify you. This is health information that is created or received by your health care provider, and that relates to your past, present or future physical or mental health or condition.

We are strongly committed to protecting your medical information. We create a medical record about your care because we need the record to provide you with appropriate treatment and to comply with various legal requirements. We transmit some medical information about your care in order to obtain payment for the services you receive, and we use certain information in our day-to-day operations. This Notice will let you know about the various ways we use and disclose your medical information, describe your rights and our obligations with respect to the use or disclosure of your medical information. We will also ask that you acknowledge receipt of this Notice the first time you visit our facility, because the law requires us to make a good faith effort to obtain your acknowledgment.

WE ARE REQUIRED BY LAW TO:

- Make sure that any medical or health information that we have that identifies you is kept private, and will be used or disclosed only in accord with this Notice of Privacy Practices and applicable law.
- Give you this Notice of our legal duties and our privacy practices.
- Abide by the terms of the Notice of Privacy Practices that is currently in effect.

USES AND DISCLOSURES OF PHI:

Uses and disclosures of PHI for treatment, payment and healthcare operations

Your PHI may be used and disclosed by your practitioner, our office staff and others outside of our offices who are involved in your care and treatment for the purpose of providing health care services to you. Your PHI may also be used and disclosed to obtain payment of your health care bills and to support the operation of this facility. Following are some examples of the types of uses and disclosures of your PHI that we are permitted to use. Not every possible use or disclosure is listed.

- **For Treatment:** We will use and disclose your PHI to provide, coordinate, or manage your health care and any related treatment. This includes the coordination or management of your health care with a third party that has already obtained your permission to have access to your PHI. For example, we would disclose your PHI, as necessary, to the physician that referred you to us. We will also disclose PHI to other health care providers who may be treating you when we have the necessary permission from you to disclose your PHI.
- **For Payment:** Your PHI will be used, as needed, to obtain payment for your health care services. This may include certain activities that your health insurance plan may undertake before it approves or pays for the health care services we recommend for you such as; making a determination of eligibility or coverage for insurance benefits, reviewing services provided to you for medical necessity, and undertaking utilization review activities. We may also tell your health plan about an orthotic or prosthetic device you are going to receive to obtain prior approval or to determine whether your plan will cover the device.
- **For Healthcare Operations:** We may use or disclose, as needed, your PHI in order to support the business activities of this facility. These activities can include quality assessment activities, employee review activities, legal services, licensing, and conducting or arranging for other business activities. We may share your protected health information with Business Associates that perform various activities (i.e. transcription service) for this facility. Whenever an arrangement between Next Step Orthotics and Prosthetics Inc. and our Business Associate involves the use or disclosure of your PHI, we will have a written contract that contains terms that will protect the privacy of your PHI.
- **Treatment Alternatives:** We may use or disclose your PHI, as necessary, to provide you with information about treatment alternatives or other health-related benefits and services that may be of interest to you.
- **Appointment or Follow Up Reminders:** We may use or disclose your PHI, as necessary, to contact you to remind you of your appointment or follow ups.
- **Marketing and Health Related Benefits and Services:** We may also use and disclose your PHI for other marketing activities. For example, we may send you information about products or services that we believe may be beneficial to you. You may contact our Privacy Officer to request that these materials not be sent to you.

Uses and disclosures of PHI based upon your written authorization

Other uses and disclosures of your PHI will be made only with your written authorization, unless otherwise permitted or required by law as described below. You may revoke your authorization, at any time, in writing. You understand that we can not take back any use or disclosure we may have made under the authorization before we received your written revocation, and that we are required to maintain a record of the medical care that has been provided to you. The authorization is a separate document, and you will have the opportunity to review any authorization before you sign it. We will not condition your treatment in any way on whether or not you sign any authorization.

Other Permitted and Required Uses and Disclosures That May Be Made either With Your Agreement or the Opportunity to Object

We may use and disclose your PHI in the following instances. You have the opportunity to agree or object to the use or disclosure of all or part of your PHI. If you are not present or able to agree or object to the use or disclosure of the PHI, then your practitioner may, using their professional judgment, determine whether the disclosure is in your best interest. In this case, only the PHI that is relevant to your health care will be disclosed.

- **Others Involved in Your Healthcare:** Unless you object, we may disclose to a member of your family, a relative, a close friend or any other person you identify, orally or in writing, the PHI that directly relates to that person's involvement in your health care. If you are unable to agree or object to such a disclosure, we may disclose such information as necessary if we determine that it is in your best interest based on our professional judgment. We may use or disclose your PHI to notify or assist in notifying a family member, personal representative or any other person that is responsible for your care of your location or general condition.

Other Permitted and Required Uses and Disclosures That May Be Made Without Your Authorization or Opportunity to Object

We may use or disclose your protected health information in the following situations without your authorization or providing you the opportunity to object.

- **Required By Law:** We may use or disclose your PHI to the extent that the use or disclosure is required by federal, state or local law. The use or disclosure will be made in compliance with the law and will be limited to the relevant requirements of the law. You will be notified, as required by law, of any such uses or disclosures.
- **Public Health:** We may disclose your PHI for public health activities and purposes to a public health authority that is permitted by law to collect or receive the information. The disclosure will be made for the purpose of controlling disease, injury or disability. A disclosure under this exception would only be made to somebody in a position to help prevent the threat to public health
- **Communicable Diseases:** We may disclose your PHI, if authorized by law, to a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading the disease or condition.
- **Health Oversight:** We may disclose PHI to a health oversight agency for activities authorized by law, such as audits, investigations, and inspections. Oversight agencies seeking this information include government agencies that oversee the health care system, government benefit programs, other government regulatory programs and civil rights laws.
- **Abuse or Neglect:** We may disclose your PHI to a public health authority that is authorized by law to receive reports of child abuse or neglect. In addition, we may disclose your PHI if we believe that you have been a victim of abuse, neglect or domestic violence to the governmental entity or agency authorized to receive such information. We will only make this disclosure if you agree or when required or authorized by law. In this case, the disclosure will be made consistent with the requirements of applicable federal and state laws.
- **Military and Veterans:** If you are a member of the military, we may release PHI about you as required by military command authorities.
- **Food and Drug Administration:** We may disclose your PHI to a person or company required by the Food and Drug Administration to report adverse events, product defects or problems, biologic product deviations, track products; to enable product recalls; to make repairs or replacements, or to conduct post marketing surveillance, as required.
- **Legal Proceedings:** We may disclose your PHI in the course of any judicial or administrative proceeding, in response to an order of a court or administrative tribunal (to the extent such disclosure is expressly authorized), in certain conditions in response to a subpoena, discovery request or other lawful process.
- **Law Enforcement:** We may also disclose your PHI, so long as applicable legal requirements are met, for law enforcement purposes. These law enforcement purposes might include (1) legal processes and otherwise required by law, (2) limited information requests for identification and location purposes, (3) pertaining to victims of a crime, (4) suspicion that death has occurred as a result of criminal conduct, (5) in the event that a crime occurs on the premises of the practice, and (6) medical emergency (not on the facility's premises) and it is likely that a crime has occurred.
- **Research:** Under certain circumstances, we may disclose your PHI to researchers when their research has been approved by an institutional review board that has reviewed the research proposal and established protocols to ensure the privacy of your PHI.
- **Criminal Activity:** Consistent with applicable federal and state laws, we may disclose PHI, if we believe that the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public. We may also disclose PHI if it is necessary for law enforcement authorities to identify or apprehend an individual.
- **Military Activity and National Security:** When the appropriate conditions apply, we may use or disclose PHI of individuals who are Armed Forces personnel (1) for activities deemed necessary by appropriate military command authorities; (2) for the purpose of a determination by the Department of Veterans Affairs of your eligibility for benefits, or (3) to foreign military authority if you are a member of that foreign military services. We may also disclose your PHI to authorized federal officials for conducting national security and intelligence activities, including for the provision of protective services to the President or others legally authorized.
- **Workers' Compensation:** We may disclose your PHI as authorized to comply with workers' compensation laws and other similar legally-established programs that provide benefits for work-related illnesses and injuries.
- **Inmates:** We may use or disclose your PHI if you are an inmate of a correctional facility if your practitioner created or received your PHI in the course of providing care to you.
- **Required Uses and Disclosures:** Under the law, we must make disclosures to you and when required by the Secretary of the Department of Health and Human Services to investigate or determine our compliance with the requirements of the final rule on Standards for Privacy of Individually Identifiable Health Information.

YOUR RIGHTS REGARDING HEALTH INFORMATION ABOUT YOU

The following is a statement of your rights with respect to your PHI and a brief description of how you may exercise these rights.

- **You have the right to inspect and copy your PHI.** This means you may inspect and obtain a copy of the PHI contained in your medical and billing records and any other records that your practitioner uses for making decisions about you, for as long as we maintain this information. To inspect and copy your medical information, you must submit a written request to the Privacy Officer listed on the last page of this Notice. If you request a copy of your information, we may charge you a fee for the costs of copying, mailing or other costs incurred by us in complying with your request, pursuant to state laws. We may deny your request in limited situations specified in the law. In these circumstances, you may have a right to have this decision reviewed. The person conducting the review will not be the person who initially denied your request. We will comply with the decision in any review. Please contact our Privacy Officer if you have questions about access to your medical record.
- **You have the right to request a restriction of your PHI.** This means you may ask us not to use or disclose any part of your PHI for the purposes of treatment, payment or healthcare operations. You may also request that any part of your PHI not be disclosed to family members or friends who may be involved in your care or for notification purposes as described in this Notice of Privacy Practices. Your request must state the specific restriction requested and to whom you want the restriction to apply. ***Your practitioner is not required to agree to a restriction that you may request.*** If the practitioner believes it is in your best interest to permit use and disclosure of your PHI, your information will not be restricted. If your practitioner does agree to the requested restriction, we may not use or disclose your PHI in violation of that restriction unless it is needed to provide emergency treatment. With this in mind, please discuss any restriction you wish to request with your practitioner. You may request a restriction in writing to our Privacy Officer.
- **You have the right to request to receive confidential communications from us by alternative means or at an alternative location.** We will accommodate reasonable requests. We may also condition this accommodation by asking you for information as to how payment will be handled or specification of an alternative address or other method of contact. We will not request an explanation from you as to the basis for the request. Please make this request in writing to our Privacy Officer.
- **You may have the right to have your practitioner amend your PHI.** This means you may request an amendment of your PHI contained in your medical and billing records and any other records that your practitioner uses for making decisions about you, for as long as we maintain the PHI. You must make your request for amendment in writing to our Privacy Officer, and provide the reason or reasons that support your request.

We may deny any request that is not in writing or does not state a reason supporting the request. We may deny your request for an amendment of any information that:

- 1) Was not created by us, unless the person that created the information is no longer available to amend the information.
- 2) Is not part of the PHI kept by or for us.
- 3) Is not part of the information you would be permitted to inspect or copy.
- 4) Is accurate and complete.

If we deny your request for amendment, we will do so in writing and explain the basis for the denial. You have the right to file a written statement of disagreement with us. We may prepare a rebuttal to your statement and will provide you with a copy of any such rebuttal. Please contact our Privacy Officer to determine if you have questions about amending your medical record.

- **You have the right to receive an accounting of certain disclosures we have made, if any, of your PHI.** This right only applies to disclosures for purposes other than treatment, payment or healthcare operations as described in this Notice of Privacy Practices. It also excludes disclosures we may have made to you, to family members or friends involved in your care, or for notification purposes. You have the right to receive specific information regarding these disclosures that occurred after April 14, 2003. The right to receive this information is subject to certain exceptions, restrictions and limitations. You must submit a written request for disclosures in writing to the Privacy Officer. You must specify a time period, which may not be longer than six years and cannot include any date before April 14, 2003. You may request a shorter timeframe. Your request should indicate the format in which you want the list. You have the right to one free request within any 12 month period, but we may charge you for any additional requests in the same 12 month period. We will notify you about the charges you will be required to pay, and you are free to withdraw or modify your request in writing before any charges are incurred.
- **You have the right to obtain a paper copy of this notice from us.** You may request a copy of this Notice from our Privacy Officer or any employee within any of our facilities, at any time. You will also find this Notice posted on our website, www.nextstepoandp.com, and displayed near the front desk of each facility.

COMPLAINTS

If you would like to submit a comment or complaint about our privacy practices, you may do so by:

Verbal comment or complaint: Call our Privacy Officer, Andrea Couture, at 603.668.3831

Written comment or complaint: Email our Privacy Officer at andrea@nextstepoandp.com or mail letter to: Next Step O&P, Inc., 155 Dow Street, Suite 200, Manchester, NH 03101 – Attn: Andrea Couture.

CHANGES TO THIS NOTICE

We reserve the right to change the privacy practices that are described in this Notice of Privacy Practices. We also reserve the right to apply these changes retroactively to PHI received before the change in privacy practices. You may obtain a revised Notice of Privacy Practices by calling the office and requesting a revised copy be sent in the mail, asking for one at the time of your next appointment, or accessing our website.

Revised and updated/2-2009/adc