

# BROOKS REHABILITATION

## NOTICE OF PRIVACY PRACTICES

Your Information. Your Rights. Our Responsibilities.

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.

### YOUR RIGHTS

You have the right to:

- Get a copy of your paper or electronic medical record
- Correct your paper or electronic medical record
- Request confidential communication
- Ask us to limit the information we share
- Get a list of those with whom we've shared your information
- Get a copy of this Privacy Notice
- Choose someone to act for you
- File a complaint if you believe your privacy rights have been violated

### YOUR CHOICES

You have some choices in the way that we use and share information as we:

- Tell family and friends about your condition
- Provide disaster relief
- Include you in a hospital directory

- Provide mental health care
- Market our services and sell your information
- Raise funds

## **OUR USES AND DISCLOSURES**

We may use and share your information as we:

- Treat you
- Run our organization
- Bill for your services
- Help with public health and safety issues
- Do research
- Comply with the law
- Respond to organ and tissue donation requests
- Work with a medical examiner or funeral director
- Address workers' compensation, law enforcement, and other government requests
- Respond to lawsuits and legal actions

## **YOUR RIGHTS**

**When it comes to your health information, you have certain rights.** This section explains your rights and some of our responsibilities to help you.

### **Get an electronic or paper copy of your medical record**

- You can ask to see or get an electronic or paper copy of your medical record and other health information we have about you. Ask us how to do this.
- We will provide a copy or a summary of your health information, usually within 30 days of your request. We may charge a reasonable, cost-based fee.

### **Ask us to correct your medical record**

- You can ask us to correct health information about you that you think is incorrect or incomplete. Ask us how to do this.
- We may say “no” to your request, but we’ll tell you why in writing within 60 days.

### **Request confidential communications**

- You can ask us to contact you in a specific way (for example, home or office phone) or to send mail to a different address.
- We will say “yes” to all reasonable requests.

### **Ask us to limit what we use or share**

- You can ask us not to use or share certain health information for treatment, payment, or our operations. We are not required to agree to your requests, and we may say “no” if it would affect your care.
- If you pay for a service or health care item out-of-pocket in full, you can ask us not to share that information for the purpose of payment or our operations with your health insurer. We will say “yes” unless a law requires us to share that information.

### **Get a list of those with whom we’ve shared information**

- You can ask for a list (accounting) of the times we’ve shared your health information for six years prior to the date you ask, who we shared it with, and why.
- We will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures (such as any you asked us to make). We’ll provide one accounting a year for free but will charge a reasonable, cost-based fee if you ask for another one within 12 months.

### **Get a copy of this Privacy Notice**

- You can ask for a paper copy of this notice at any time, even if you have agreed to receive the Notice electronically. We will provide you with a paper copy promptly.

### Choose someone to act for you

- If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information.
- We will make sure the person has this authority and can act for you before we take any action.

### File a complaint if you feel your rights are violated

- You can complain if you feel we have violated your rights by contacting us using the information on Page 5.
- You can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201; calling 1-877-696-6775; or visiting [hhs.gov/ocr/privacy/hipaa/complaints/](https://www.hhs.gov/ocr/privacy/hipaa/complaints/).
- We will not retaliate against you for filing a complaint.

### YOUR CHOICES

**For certain health information, you can tell us your choices about what we share.** If you have a clear preference for how we share your information in the situations described below, talk to us. Tell us what you want us to do, and we will follow your instructions.

In these cases, you have both the right and choice to tell us to:

- Share information with your family, close friends, or others involved in your care
- Share information in a disaster relief situation

- Include your information in a hospital directory

*If you are not able to tell us your preference, for example if you are unconscious, we may go ahead and share your information if we believe it is in your best interest. We may also share your information when needed to lessen a serious and imminent threat to health or safety.*

In these cases we never share your information unless you give us written permission:

- Marketing purposes
- Sale of your information
- Most sharing of psychotherapy notes

In the case of fundraising:

- We may contact you for fundraising efforts, but you can tell us not to contact you again.

## **OUR USES AND DISCLOSURES**

**How do we typically use or share your health information?** We typically use or share your health information in the following ways.

### **Treat you**

- We can use your health information and share it with other professionals who are treating you.

*Example: A doctor treating you for an injury asks another doctor about your overall health condition.*

## Run our organization

- We can use and share your health information to run our practice, improve your care, and contact you when necessary.

*Example: We use health information about you to manage your treatment and services.*

## Bill for your services

- We can use and share your health information to bill and get payment from health plans or other entities.

*Example: We give information about you to your health insurance plan so it will pay for your services.*

## How else can we use or share your health information?

We are allowed or required to share your information in other ways - usually in ways that contribute to the public good, such as public health and research. We have to meet many conditions in the law before we can share your information for these purposes.

- For more information see: [hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html](https://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html).

**Help with public health and safety issues.** We can share health information about you for certain situations such as:

- Preventing disease
- Helping with product recalls

- Reporting adverse reactions to medication
- Reporting suspected abuse, neglect, or domestic violence
- Preventing or reducing a serious threat to anyone's health or safety

### **Do research**

- We can use or share your information for health research.

### **Comply with the law**

- We will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we're complying with federal privacy law.

### **Respond to organ and tissue donation requests**

- We can share health information about you with organ procurement organizations.

### **Work with a medical examiner or funeral director**

- We can share health information with a coroner, medical examiner, or funeral director when an individual dies.

### **Address workers' compensation, law enforcement, and other government requests.**

We can use or share health information about you:

- For workers' compensation claims
- For law enforcement purposes or with a law enforcement official
- With health oversight agencies for activities authorized by law
- For special government functions such as military, national security, and presidential protective services

## Respond to lawsuits and legal actions

- We can share health information about you in response to a court or administrative order, or in response to a subpoena.

## OUR RESPONSIBILITIES

- We are required by law to maintain the privacy and security of your protected health information.
- We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.
- We must follow the duties and privacy practices described in this Notice and give you a copy of it.
- We will not use or share your information other than as described here unless you tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you change your mind.

For more information see:

[www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/notic pepp.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/notic pepp.html)

## SMS Terms of Service and Privacy Policy

By opting into SMS from a web form or other medium, you are agreeing to receive SMS messages from Brooks Rehabilitation. This includes SMS messages for appointment scheduling, appointment reminders, post-visit instructions, lab notifications, and billing notifications. Message frequency varies. Message and data rates may apply. Brooks will not collect, use, or share any of your personal information. SMS consent is not shared with third parties for marketing purposes. Message HELP for help. Reply STOP to any message to opt out.

## Changes to the Terms of this Notice

- We can change the terms of this Notice, and the changes will apply to all information we have about you. The new Notice will be available upon request, in our office, and on our web site.



## OTHER INSTRUCTIONS FOR NOTICE

- **Effective Date of this Notice: July 1, 2017**
  
- **Complaints:** You may file a privacy complaint with the facility -
  - Call the toll free Brooks Privacy HELPLINE: 866-TELL-BHS (866-835-5247)
  - Report the complaint online: [www.reportlineweb.com/brooksrehab](http://www.reportlineweb.com/brooksrehab)
  - Contact the Brooks Privacy Officer:
    - Phone: (904) 345-7010
    - Email: [Privacy.Officer@brooksrehab.org](mailto:Privacy.Officer@brooksrehab.org)
  - File a complaint in writing to: Brooks Rehabilitation, Attn: Privacy Officer, 3599 University Blvd. South, Jacksonville, Florida 32216
  
- For further information about this Privacy Notice or Brooks' privacy policies and practices, contact the Brooks Privacy Officer at the telephone number or email address shown above.
  
- **Future communications:** We may communicate with you via newsletters, mail-outs, or other means regarding treatment options, health related information, disease-management programs, wellness programs, or other community based initiatives or activities in which Brooks is participating.
  
- **Fundraising:** If you do not wish to receive any fundraising communications -
  - Call (904) 345-7600 and ask to speak with the Director of the Foundation.
  
- **Get an electronic or paper copy of your medical record:** Contact the Brooks Records Custodian, Health Information Management Department, at (904) 345-7235. You will be asked to submit a written request in order for us to release your information.

- **Correct your paper or electronic medical record:** You can ask us to correct health information about you that you think is incorrect or incomplete. Contact the Brooks Records Custodian, Health Information Management Department, at (904) 345-7235. You will need to complete a “Request for Amendment of Protected Health Information” form.
- **State specific requirements:** Florida has adopted measures to protect its citizens’ health information that in some cases are more restrictive - and establish higher standards - than the federal privacy rules. In those cases in which the state law is more restrictive, the state law will control.

This Notice describes the privacy practices of Brooks Health System and its affiliated entities which constitute both a single affiliated covered entity and an Organized Health Care Arrangement for purposes of the federal privacy rules and each such entity has agreed to abide by the terms of this Notice and may share Protected Health Information with each other as necessary to carry out treatment, payment, or health care operations relating to the Organized Health Care Arrangement. The following entities, which provide services in multiple counties throughout Florida, are participating in Brooks' Organized Health Care Arrangement: Brooks Rehabilitation; Brooks Rehabilitation Hospital; Brooks Health Foundation; Brooks Health Development; Brooks AmeriCare Home Health; Bartram Crossing Skilled Nursing; The Green House Residences; Bartram Lakes Assisted Living; University Crossing Skilled Nursing; Brooks Rehabilitation Clinical Research Center; Brooks Rehabilitation Medical Group; and HB Outpatient Rehabilitative Services.