

HIPAA Privacy Notice

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. For more information on HIPAA, please visit www.nebhealth.org

Uses and Disclosures of Your Medical Information

Unless prohibited by federal or state law, Lahey Health may use and share your medical information without your specific permission in the following circumstances.

- 1. Treatment.** Your medical information is routinely shared among health care professionals involved in your care to coordinate or manage treatment, both within and outside Lahey Health. For example, we may need to disclose information to a case manager who is responsible for coordinating your care. However, when we make disclosures to a third party (other than your health plan) for coordination or management of your care, we will obtain your written authorization prior to disclosure. A third party is a person or entity not affiliated with Lahey Health. Furthermore, certain medical information is given special protection under state and/or federal law due to its highly confidential nature, including, for example, HIV tests and test results, genetic information, psychotherapy notes, and substance abuse records. In most cases, Lahey Health may be required to receive your specific written permission before using or sharing this medical information. For more information, see the separate document, "Confidentiality of Substance Use Disorders" or 42U.S.C. 290dd-2 for U.S. federal law and 42C.F.R., Part 2 for federal regulations governing confidentiality of alcohol and drug abuse patient records.
- 2. Payment.** Your medical and/or health information may be used and shared to arrange for payment for health care services that you receive. For example, your health information may be shared with your medical insurer so that Lahey Health can be paid by your insurer for services provided to you. A summary of your treatment or care may be provided to your insurer (for example, to determine that certain services were medically necessary).
- 3. Health Care Operations.** Your medical information may be used or shared for Lahey Health's activities known as health care operations. Health care operations include, for example, monitoring and improving quality of care, reducing health care costs and business planning and development. Non-patient-specific information is used to the

extent possible. The details of your care or services received, for instance, may be shared among clinicians at a department meeting to evaluate your care based on the outcome.

4. Federal and State Law. Federal and state law mandates sharing of your medical information with federal and state agencies, courts, and others under certain circumstances, such as in the context of judicial and administrative proceedings, for law enforcement purposes, or for reporting on certain victims of abuse or neglect to the Department of Children and Families.
5. Health and/or Medical Research. Your medical information may be used to further medical research, but only after approval by the Institutional Review Board, when written permission is not required by federal or state law.
6. Fundraising. We may use certain information (such as your name, address, telephone number, dates of service, age and gender) to contact you in the future to raise money for Lahey Health. We may also give this information to the Lahey Clinic Foundation for the same purpose. The money raised will be used to increase and improve the services and programs we give to our patients. If you do not wish to be contacted for our fundraising efforts, please contact the Director of Annual Programs (781-744-3285; Lahey Health, 41 Mall Road, Burlington, MA 01805).
7. Other Use and Sharing. In addition, Lahey Health may use and share your medical information without your specific permission in the following circumstances:
 - For public health activities, such as making death reports to the Office of the Chief Medical Examiner.
 - For oversight activities performed by health oversight agencies, such as licensure or disciplinary actions involving a health care provider.
 - To persons authorized by law or designated by you to act on your behalf, such as a guardian or agent under a health care power of attorney.
 - To third parties who need such medical information to provide services for, or on behalf of, Lahey. For example, we may share your medical information with an accounting or law firm that provides professional advice to us about how to comply with the law. If we disclose your information to these entities, we will have an agreement with them to safeguard your information.
 - To coroners, medical examiners and funeral directors with regard to people who have died.

- To facilitate organ, eye or tissue donations.
- To avert a serious threat to you or another person or the public.
- For specialized government functions, such as national security and intelligence activities.
- To comply with workers' compensation laws, as authorized by and to the extent necessary to comply with those laws.
- Sharing with your family member, relative, close personal friend or other person identified by you your medical and/or health information that is directly relevant to the other person's involvement in your care or payment for your care, unless you object.
- To notify or assist in the notification of your family member, personal representative, or other person responsible for your care of your location, general medical and/or health condition or death, unless you object.

Lahey Health must receive your specific written permission before using or disclosing your medical information in most situations other than those listed above.

For example, Lahey Health must receive your specific written permission before using or sharing your medical and/or health information for marketing purposes (except for face-to-face communication with you and gifts to you of nominal value) and before selling your health information.

You may take back your permission at any time so long as you tell us in writing. Exceptions include if Lahey Health has acted in reliance upon your permission or if your permission was obtained so that the services provided would be covered by insurance.

Your Rights

1. You may ask us to limit our sharing of your information, but Lahey Health does not have to agree to what you ask unless the sharing is for Lahey Health's payment or health care operations purposes, is not required by law and relates solely to care that you or a person other than your health plan paid for in full.
2. You have the right to receive confidential communications of your information at alternative locations or by alternative means.
3. You have the right to see and get a copy of your medical records. We will charge you for our costs to copy the information. We will tell you in advance what this copying will cost.

4. If you think there is something wrong or missing in your medical information, you can ask that it be changed, unless the information was created elsewhere, is unavailable or is determined to be already accurate and complete.
5. You have a right to ask us for a limited accounting of disclosures of your information. The medical records department can provide you with more details.
6. You have a right to obtain a paper copy of this notice by contacting the Office Manager or Administrative Assistant at the location where you are receiving services.
7. For individuals who have received treatment, diagnosis or referral for treatment from our substance use disorder programs, the confidentiality of drug or alcohol use records is protected by federal law and regulations. For more information, see the separate document, "Confidentiality of Substance Use Disorders" or 42 U.S.C. 290dd-2 for U.S. federal law and 42 C.F.R., Part 2 for federal regulations governing confidentiality of alcohol and drug abuse patient records.

The Duties of Lahey Health

1. Lahey Health is required by law to keep your medical information private, to give patients this notice of its legal duties and privacy practices for medical information and to notify individuals affected by any breach of medical information. Lahey Health is required to comply with the terms of this notice. Lahey Health reserves the right to change the terms of this notice and to make the new terms apply to all medical information it keeps. This notice and any changed notices will be conspicuously posted in public spaces at Lahey Health, made available on the Lahey Health Behavioral Services Web site (www.nebhealth.org) and given to you in paper copy upon your request.
2. Any patient believing that his or her privacy rights have been violated may complain to the Privacy Officer, Art McLeod at 978-867-7753 or file a complaint directly with the Secretary for the United States Department of Health and Human Services. Visit www.hhs.gov/ocr/privacy/hipaa/complaints to learn more. Patients will not be retaliated against for filing a complaint.
3. For further information about this notice, contact Lahey Health Behavioral Services at 978-968-1700 and ask to speak to a patient advocate.

This notice is effective September 23, 2013.