

NOTICE OF PRIVACY PRACTICES

MICHIGAN CARDIOVASCULAR INSTITUTE, P.C.

Effective Date: September 23, 2013

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.

This Notice of Privacy Practices is provided to you pursuant to the requirements of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and the Standards for Privacy of Individually Identifiable Health Information (the "Privacy Rule") issued under that Act. This Notice describes how we may use and disclose your protected health information for the purposes of treatment, payment and healthcare operations, and for certain other uses that are permitted or required by law. It also describes your rights to access and control your protected health information. For purposes of this Notice, your "protected health information" means all information (whether oral or recorded or transmitted in any form) which: (i) identifies you or could be reasonably used to identify you; (ii) relates to your medical condition, medical treatment provided to you, or payment for the provision of medical treatment or services; and (iii) is created or received by MICHIGAN CARDIOVASCULAR INSTITUTE, P.C. ("MCVI"), with certain limited exceptions. You should be aware that MCVI may sometimes provide treatment or services to you in a hospital or other setting, and that facility may have different policies and/or notices relating to your medical information.

I. USES AND DISCLOSURES OF PROTECTED HEALTH INFORMATION

MCVI may use and disclose your protected health information for any of the following types of uses: (i) treatment, (ii) payment, or (iii) health care operations. Explanations and examples of these types of uses and disclosures are provided below. The examples provided below are for illustration purposes only and are not intended to describe every use and disclosure permitted within that category.

We are required to obtain your written authorization for uses and disclosures of your protected health information that are not included in the following categories unless the use or disclosure is otherwise permitted by the Privacy Rule or applicable law:

A. Uses and Disclosures for Treatment

We may use and disclose your protected health information to provide medical treatment or services to you. This includes coordination or management of your health care with a third party. Some examples are:

- Sending reports to your primary care physician who may have referred you to a specialist at MCVI for treatment or testing. (This may include calling or faxing information to the physician's office.)
- Disclosure of your protected health information to a hospital in which procedures were performed by an MCVI physician.
- Consulting with other health care professionals concerning your course of treatment.

B. Uses and Disclosures for Payment

MCVI may use your protected health information for purposes of billing you, your insurance company or another third party responsible for payment for services provided to you. This may include disclosures necessary to obtain prior approval for services scheduled to be performed or to determine your coverage. We may also disclose your protected health information to any billing company used to process claims and submit bills on behalf of MCVI. Additional examples include:

- Disclosing protected health information as required by your insurance company to demonstrate the medical necessity of a recommended procedure or for utilization review.
- Disclosing your protected health information to another health care provider involved in your treatment for the other provider's payment activities.

C. Uses and Disclosures for Healthcare Operations

MCVI may use and disclose your protected health information in order to effectively and efficiently operate our practice, and to ensure that quality care is provided to all patients. Some examples of this are:

- Uses and disclosures of protected health information to review the quality of our services and evaluate the performance of our personnel.
- Using and disclosing information to professionals, staff, students and trainees for education and training purposes.
- Uses and disclosures for accreditation, certification, licensing or credentialing activities.
- Uses and disclosures for audits and similar functions, including compliance reviews and legal services.
- Uses and disclosures for business development and planning and general office administration.

II. USES AND DISCLOSURES PERMITTED WITHOUT AUTHORIZATION OR OPPORTUNITY TO OBJECT

Federal law permits MCVI to use and disclose your protected health information without your express permission or authorization for certain purposes, including the following:

A. Disclosures Required by Law

MCVI may use or disclose your protected health information to the extent required by federal, state or local law, including disclosures made as directed or expressly authorized by a court or administrative tribunal.

B. Public Health Activities

MCVI may disclose your protected health information to certain public health or other governmental authorities for the following activities and purposes:

- To prevent or control disease, injury or disability, including uses and disclosures necessary to prevent or lessen a serious threat to your health or the health and safety of the public.
- To report vital events, such as birth or death.
- To conduct public health surveillance, investigations and interventions.
- To report suspected or confirmed cases of abuse, neglect or domestic violence, to the extent required or authorized by law, or subject to your permission.
- To the Federal Food and Drug Administration (“FDA”) or to a person subject to FDA jurisdiction, for purposes relating to the quality, safety or effectiveness of an FDA-regulated product or activity.
- To notify a person who may have been exposed to a communicable disease or who may be at risk of contracting or spreading such disease or condition, as authorized by law.
- To report information to your employer as permitted or required by law.

C. Health Oversight Activities

MCVI may disclose your protected health information to a health oversight agency for purposes of audits; civil, administrative or criminal investigations; inspections; licensure or disciplinary actions; or other activities necessary for appropriate oversight of the healthcare system and entities subject to federal laws, regulations and program standards. MCVI will not disclose your protected health information for health oversight activities if you are the subject of an investigation and the information does not arise out of or directly relate to your receipt of health care or a claim for public benefits or services.

D. Law Enforcement Purposes and Judicial and Administrative Proceedings

MCVI may disclose your protected health information for the following types of law enforcement purposes or judicial and administrative proceedings:

- As required by law for reporting certain types of wounds or injuries.
- Pursuant to a court order, warrant, subpoena, summons or similar process.
- For the purpose of identifying or locating a suspect, fugitive, material witness or missing person.
- Under certain limited circumstances if you are a victim of a crime.

- To a law enforcement official if MCVI has reason to suspect that your death was the result of criminal conduct.
- To report a crime in an emergency.
- In response to an order of a court or administrative tribunal.

E. Coroners, Funeral Directors, and for Organ and Tissue Donation Purposes

MCVI may disclose your protected health information to a coroner or medical examiner for identification purposes, to determine cause of death, or to enable such persons to perform other duties authorized or required by law. MCVI may also disclose your protected health information, as authorized by law, to a funeral director for purposes of enabling the funeral director to carry out his or her duties. Such information may be disclosed in reasonable anticipation of death. Protected health information may also be used or disclosed for cadaveric organ, eye or tissue donation purposes.

F. Research

Your protected health information may be used or disclosed for research purposes to the extent such use or disclosure has been approved by an Institutional Review Board or Privacy Board that has reviewed the applicable research proposal and protocols to address the privacy of your protected health information, or in limited circumstances where the use or disclosure is merely preparatory to conducting a research project. In other cases, your protected health information will not be used or disclosed for research purposes without your prior written authorization (as described below). In any event, you will be given specific information about research projects for which you are a candidate or in which you are asked to participate.

G. Certain Government Functions

MCVI may use or disclose your protected health information for certain government functions including military and veterans activities, national security and intelligence activities, protective services for the President or other national officials, medical suitability determinations (as necessary for national security clearance or Foreign Service purposes), or correctional institutions or other law enforcement custodial situations.

H. Workers Compensation

MCVI may disclose your protected health information in order to comply with workers compensation laws or similar programs.

III. OTHER USES AND DISCLOSURES

In addition to the uses and disclosures described above, MCVI may use and disclose your protected health information for the following purposes:

- To remind you of an appointment.
- To inform you of potential treatment alternatives or options.

- To inform you of health-related benefits or services that may be of interest to you.

Additionally, we may make certain disclosures of protected health information incidental to the above purposes, so long as we make reasonable efforts to limit such uses and disclosures to the minimum information necessary to accomplish the intended purpose, and reasonably safeguard protected health information to limit such incidental uses and disclosures. Some examples of incidental uses and disclosures include:

- Calling your name in a waiting room when it is time for your exam.
- Discussing your treatment or condition with you in a semi-private hospital room.
- Personnel may discuss your treatment or condition at a nursing station or similar area of the office or hospital to the extent necessary.

IV. USES AND DISCLOSURES WITHOUT AUTHORIZATION BUT WITH OPPORTUNITY TO OBJECT

You have a right to object to certain disclosures of your protected health information which MCVI may otherwise make without your authorization. These disclosures include:

- Discussing your condition or treatment with a family member or other person as directly relevant to that person's involvement in your care or payment for your care.
- Attempts to locate or notify family members or others involved in your care concerning your location, condition or death.

V. USES AND DISCLOSURES WITH YOUR WRITTEN AUTHORIZATION

Except for the types of disclosures described above, MCVI will not disclose your protected health information without your prior written authorization. For example, without your prior authorization, MCVI will not disclose (1) any psychotherapy notes (with limited exceptions), (2) your protected health information for marketing purposes unless the marketing is a face-to-face communication or a promotional gift of low value, (3) your protected health information if the disclosure constitutes a sale of protected health information.

If you provide a written authorization for such disclosures, you may revoke the authorization in writing at any time. However, the revocation will not be effective for disclosures already made by MCVI in reliance upon the authorization.

VI. APPLICABLE MICHIGAN LAW.

MCVI's use and disclosure of your protected health information must comply not only with federal privacy regulations but also with applicable Federal and Michigan law. Michigan law and/or Federal Regulations place certain additional restrictions on the use and disclosure of protected health information for mental health, substance abuse, HIV/AIDS conditions, and certain genetic information. In some instances, your specific authorization may be required.

VII. YOUR INDIVIDUAL RIGHTS

In addition to any rights described above, you have the following rights regarding your protected health information:

A. Right to Inspect and Copy Your Protected Health Information

You may inspect and obtain a copy of your protected health information contained in MCVI's medical or billing records or other records that MCVI uses in making decisions about your treatment. However, federal law does not permit your inspection or copying of the following types of records:

- Psychotherapy notes.
- Information compiled in reasonable anticipation of, or for use in, a civil, criminal or administrative action or proceeding.
- Protected health information that MCVI is otherwise prohibited from disclosing to you by law.

Any request to inspect or copy your protected health information must be made in writing and submitted to the MCVI Privacy Officer whose contact information appears below. MCVI must respond to your request for access to protected health information within thirty (30) days of receiving the request, **except that MCVI may extend this period for an additional 30 days in the event the MCVI is unable to meet this period such as if the information is not maintained or accessible on-site.** MCVI may deny your request to inspect or copy all or part of your protected health information if, an MCVI physician has determined, in his/her professional judgment, that such access is reasonably likely to endanger the life or physical safety of you or another person. Any such denial must be provided to you in writing and describe your rights to request a review of the denial. If MCVI provides you with copies of your protected health information, we reserve the right to charge a reasonable, cost-based fee for such copies and the cost of any postage incurred if such information is mailed to you. MCVI may also charge you a reasonable fee for the cost of preparing an explanation or summary of your protected health information if you agree in advance to such a summary or explanation and the fee associated with it.

If you request an electronic copy of your protected health information that MCVI maintains electronically, MCVI may be required to provide you with access to the electronic information in the electronic form and format that you requested, if it is readily producible, or, if not, in a readable electronic form and format as agreed to. To the extent possible and requested, MCVI will provide you with an electronic copy of your protected health information.

B. Right to Request Restrictions on Uses and Disclosures

You may request that MCVI place restrictions on the use or disclosure of your protected health information for purposes of treatment, payment or healthcare operations, or discussions of your condition or treatment with a family members or other persons. Any such request must

be in writing and specifically state the desired restriction and to whom the restriction is requested to apply. MCVI is not required to agree to any requested restriction unless the request is to restrict disclosure of protected health information about you to a health plan for the purpose of carrying out payment or health care operations, the disclosure is not otherwise required by law, and the protected health information pertains solely to a health care item or service for which you have paid MCVI in full. For all other requests for restriction, MCVI will notify you in writing if your request is denied. If MCVI does agree to a restriction, or is required to agree to a restriction, we may not use or disclose your protected health information in violation of the restriction except as necessary to provide emergency treatment. Under certain circumstances, MCVI may terminate its agreement to any such restriction except that the termination is only effective relating to your protected health information created or received by MCVI after the termination.

C. Right to Request Confidential Communications from MCVI by Alternative Means or at Alternative Location

You may request that MCVI communicate with you by alternative means or at alternative locations. Such requests must be made in writing to the MCVI Privacy Officer. MCVI will accommodate all such reasonable requests.

D. Right to Request Amendment of your Protected Health Information

You may request that MCVI amend your protected health information as contained in MCVI's records. All such requests must be made in writing and submitted to the MCVI Privacy Officer. MCVI will respond to such requests within sixty (60) days of receipt, unless we give you written notice of reasons why we are unable to process your request within this time period. In any case, MCVI must respond to your request no later than ninety (90) days after receipt. MCVI may deny your request in certain cases. Any denial will be provided in writing and will explain the reasons for the denial and a statement of your further rights. If you don't file a written statement of disagreement, you have the right to request that your amendment request and our denial be attached to your protected health information. If your amendment request is approved, we will make the change to your protected health information and let you know that it has been completed. An amendment may take several forms, such as an explanatory statement added to your record.

E. Right to Receive an Accounting

You may request that MCVI provide you with a list of certain disclosures made by MCVI of your protected health information. MCVI is not required to provide an accounting of disclosures made for purposes of treatment, payment or healthcare operations. MCVI is also not required to account for disclosures requested by you, disclosures you agreed to by signing a written authorization, disclosures for any facility directory, disclosures we are permitted to make to family members or others involved in your care, or certain other disclosures we are permitted to make without your authorization (including incidental disclosures).

Any request for such an accounting must be made in writing and submitted to the MCVI Privacy Officer. The request must specify the time period sought for the accounting. Please note that this time period cannot exceed six (6) years from the date of the request, and MCVI is only required to account for disclosures made after the effective date of this Notice. MCVI will respond within 60 days of receiving your request. MCVI will provide you with the first accounting requested in any 12-month period without charge. Additional requests within that 12-month period may be subject to a reasonable, cost-based charge.

F. Right to Obtain a Copy of this Notice

You may obtain a separate paper copy of this Notice, even if you have already received a copy or have agreed to accept this Notice electronically, by contacting the MCVI Privacy Officer.

VIII. OUR DUTIES

MCVI is required to maintain the privacy of your protected health information as described in this Notice. MCVI is required to provide you with notice of its legal duties and privacy practices with respect to your protected health information, and to notify you following a breach of your unsecured protected health information. MCVI is required to comply with the terms of the Notice of Privacy Practices currently in effect. We reserve the right to make changes to this Notice from time to time and to make such changes effective for all protected health information maintained by MCVI, including information created or received prior to the effective date of the notice revision. On and after the Effective Date of a revised Notice, we will make the revised Notice available to you at our office and post the Notice in our office as soon as possible.

IX. COMPLAINTS

If you believe your privacy rights have been violated, you may contact the MCVI Privacy Officer (see contact information below) or file a complaint with the Secretary of the U.S. Department of Health and Human Services. We encourage you to express any concerns to us you may have concerning your privacy. MCVI will not take any retaliatory action against you for filing a complaint.

X. MCVI PRIVACY OFFICER - CONTACT INFORMATION

Please direct all questions or concerns relating to the privacy of your health information or any provision of this Notice, and any request or notice you are entitled to make to the following:

Privacy Officer
MICHIGAN CARDIOVASCULAR INSTITUTE, P.C.
1015 S. Washington Ave.
Saginaw, MI 48601
Telephone: (989) 754-3000

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