



NOTICE OF PRIVACY INFORMATION PRACTICES

Effective September 1, 2019

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.

A. PURPOSE OF THE NOTICE

Willamette View is committed to preserving the privacy and confidentiality of your health information that is created and/or maintained in various areas of our campus. State and federal laws and regulations require us to implement policies and procedures to safeguard the privacy of your health information. This Notice will provide you with information regarding our privacy practices and applies to all of your health information created and/or maintained at our facility, including any information that we receive from other health care providers or facilities. The Notice describes the ways in which we may use or disclose your health information and also describes your rights and our obligations concerning such uses or disclosures.

We will abide by the terms of this Notice, including any future revisions that we may make to the Notice as required or authorized by law. We reserve the right to change this Notice, and to make the revised or changed Notice effective for health information we already have about you as well as any information we receive in the future. We will post a copy of our current Notice, which will identify its effective date in our facility, and on our website at www.willametteview.org.

The privacy practices described in this Notice will be followed by:

1. Any health care professional authorized to enter information into your medical record created and/or maintained at our facility;
2. All employees, students, and other service providers who have access to your health information at our facility; and
3. Any member of a volunteer group, which is allowed to help you while receiving services at our facility.

The individuals listed above will share your health information with each other for purposes of treatment, payment, and health care operations, as further described in the Notice.

B. USES AND DISCLOSURES OF HEALTH INFORMATION FOR TREATMENT, PAYMENT AND HEALTH CARE OPERATIONS

Treatment, Payment, and Health Care Operations

The following section describes different ways that Willamette View Inc. may use and disclose your health information for purposes of treatment, payment, and health care operations. We explain each of these purposes below and include examples of the types and uses or disclosures that may be made for each purpose. We have not listed every type of use or disclosure, but the ways in which we use or disclose your information will fall under one of these purposes.

1. **Treatment.** We may use your health information to provide you with health care treatment and services. We may disclose your health information to doctors, nurses, nursing assistants, medication aides, technicians, medical and nursing students, rehabilitation therapy specialists, and other personnel who are involved in your health care.

For example, we may order physical therapy services to improve your strength and walking abilities. We will need to talk with the physical therapist so that we can coordinate services and develop a plan of care. We also may need to refer you to another health care provider for you to receive certain services. We will share information with that health care provider in order to coordinate your care and services.

2. **Payment.** We may use or disclose your health information so that we may bill and receive payment from you, an insurance company, or another third party for the health care services you receive from us. We also may disclose health information about you to your health plan in order to obtain prior approval for the services we provide to you, or to determine that your health plan will pay for the treatment.

For example, we may need to give health information to your health plan in order to obtain prior approval to refer you to a health care specialist, such as a neurologist or orthopedic surgeon, or to perform a diagnostic test such as a magnetic resonance imaging scan (MRI) or a CT scan.

3. **Health Care Operations.** We may use or disclose your health information in order to perform necessary administrative, educational, quality assurance, and business functions of our facility.

For example, we may use your health information to evaluate the performance of our staff in caring for you. We also may use your health information to evaluate whether certain treatment or services offered by our facility are effective. We also may disclose your health information to other physicians, nurses, technicians, or health profession students for teaching and learning purposes.

C. USES AND DISCLOSURES OF HEALTH INFORMATION IN SPECIAL SITUATIONS

We may use or disclose your health information in certain special situations as described below. For these situations you have the right to limit these uses and disclosures as provided for in Section F of this Notice.

1. **Appointment Reminders.** We may use or disclose your health information for purposes of contacting you to remind you of a health care appointment.

2. **Treatment Alternatives & Health-Related Products and Services.** We may use or disclose your health information for purposes of discussing with you treatment alternatives or health-related products or services that may be of interest to you.

For example, if you are a resident of our Skilled Nursing area for purposes of a postsurgical hip replacement, we may talk with you about a gait-training program that we may offer to improve your walking and balance.

3. **Facility Directory.** We may use or disclose certain limited health information about you in our telephone directory. This information may include your name, your building and room number. This information will be given to people who ask for you by name. We do not maintain records of residents by religious affiliation, so this information is not available to clergy.

4. **Family Members and Friends.** We may disclose your health information to individuals, such as family members and friends, who are involved in your care or who help pay for your care. We may make such disclosures when: (a) we have your verbal agreement to do so, (b) we make such disclosures and you do not object, or (c) we can infer from the circumstances that you would not object to such disclosures.

For example, we will share information about you with your spouse or other family members after giving you the opportunity to agree or object.

We also may disclose your health information to family members or friends in instances when you are unable to agree or object to such disclosures, or in the event of your death, provided that we feel it is in your best interests to make such disclosures and the disclosures relate to that family members or friend's involvement in your care, including the payment therefore.

For example, if your medical condition prevents you from either agreeing or objecting to disclosures made to your family or friends, we may share information with the family member or friend that comes to visit you at the Health Center, but we will share only that information which relates to their involvement in your care.

5. **Fundraising Activities.** As part of Willamette View Inc.'s healthcare operations, we may use and disclose a limited amount of your healthcare information internally, to allow them to contact you to raise charitable contributions for Willamette View Inc. The health information released for these fundraising purposes can include your name, address, other contact information, gender, age, date of birth, dates you received service, health insurance status, and the outcome of treatment at

Willamette View Inc. Any fundraising communications you receive from Willamette View Inc. will include information on how you can elect not to receive any further fundraising communications from Willamette View Inc.

6. **Sale of Information.** We will never sell your health information to third parties for their use without your written authorization to do so.

D. OTHER PERMITTED OR REQUIRED USES AND DISCLOSURES OF HEALTH INFORMATION

There are certain instances in which we may be required or permitted by law to use or disclose your health information without your permission. These instances are as follows:

1. **As required by law.** We may disclose your health information when required by federal, state, and/or local law to do so. For example, we are required by the Department of Health and Human Services (HHS) to disclose your health information in order to allow HHS to evaluate whether we are in compliance with the federal privacy regulations.

2. **Public Health Activities.** We may disclose your health information to public health authorities that are authorized by law to receive and collect health information for the purpose of preventing or controlling disease, injury or disability; to report deaths, suspected abuse or neglect, reactions to medications; or to facilitate product recalls.

3. **Health Oversight Activities.** We may disclose your health information to a health oversight agency authorized by law to receive and conduct health oversight activities, including audits, investigations, inspections, or licensure and certification surveys. These activities are necessary for the government to monitor the persons or organizations that provide health care to individuals and to ensure compliance with applicable state and federal laws and regulations.

4. **Judicial or administrative proceedings.** We may disclose your health information to courts or administrative agencies charged with the authority to hear and resolve lawsuits or disputes. We may disclose your health information pursuant to a court order, a subpoena, a discovery request, or other lawful process issued by a judge or other person involved in the dispute, but only if efforts have been made to (i) notify you of the request for disclosure, or (ii) obtain an order protecting your health information.

5. **Workers' Compensation.** We may disclose your health information to workers' compensation programs when your health condition arises out of a work-related illness or injury.

6. **Law Enforcement Official.** We may disclose your health information in response to a request received from a law enforcement official to report criminal activity or to respond to a subpoena, court order, warrant, summons, or similar process.

7. **Coroners, Medical Examiners or Funeral Directors.** We may disclose your health information to a coroner or medical examiner for the purpose of identifying a deceased individual or to determine

the cause of death. We also may disclose your health information to a funeral director for the purpose of carrying out his/her necessary duties.

8. Organ Procurement Organizations or Tissue Banks. If you are an organ donor, we may disclose your health information to organizations that handle organ procurement, transplantation, or tissue banking for the purpose of facilitating organ or tissue donation or transplantation.

9. Research. We may use or disclose your health information for research purposes under certain limited circumstances. Because all research projects are subject to a special approval process, we will not use or disclose your health information for research purposes until the particular research project for which your health information may be used or disclosed has been approved through this special approval process. However, we may use or disclose your health information to individuals preparing to conduct the research project in order to assist them in identifying residents with specific health care needs that may qualify to participate in the research project. Any use or disclosure of your health information which is done for the purpose of identifying qualified participants will be conducted onsite at Willamette View. In most instances, we will ask your specific permission to use or disclose your health information if the researcher will have access to your name, address, or other identifying information.

10. To Avert a Serious Threat to Health or Safety. We may use or disclose your health information when necessary to prevent a serious threat to the health or safety of you or other individuals.

11. Veterans. If you are a veteran of the military, we may use or disclose your health information as required by federal veterans authorities. We may also release health information about foreign veteran personnel to the appropriate authorities.

12. National Security and Intelligence Activities. We may use or disclose your health information to authorized federal officials for purposes of intelligence counterintelligence, and other national security activities, as authorized by law.

13. Disclosures to Business Associates. We contract with outside companies that perform services for us, including billing companies, management consultants, quality assurance reviewers, accountants, and attorneys. In certain circumstances, we may need to share your medical information with a business so it can perform a service on our behalf. Willamette View will limit the disclosure of your information to a business associate the minimum amount of information necessary for the company to perform services for Willamette View. In addition, we will have a written contract in place with the business associate requiring it to protect the privacy of your medical information.

14. Oregon Law. Oregon Law provides additional confidentiality protection in some circumstances. Drug and alcohol records are especially protected and typically require your specific consent for release under both federal and state law. Mental health records are specifically protected in some circumstances, as is genetic information.

In addition, Oregon law requires a valid written authorization from the patient or legal guardian from any insurance company without a contractual agreement, enrollment procedure or participating agreement with Willamette View.

For more information about Oregon law related to these and other specially protected records, please contact Willamette View Health Center Administrator at 503-353-7000 or refer to the Oregon Revised Statutes and the Oregon Administrative Rules. These documents are available online at www.oregon.gov.

15. Disaster relief efforts. We may disclose your health information to an entity assisting in a disaster relief effort so that your family can be notified about your condition and location.

16. Incidental disclosures. Certain incidental disclosures of your medical information may occur. For example, a visitor may inadvertently overhear a discussion about your care occurring at a nurse's station. These incidental disclosures are permitted if we apply reasonable safeguards to protect your medical information.

17. Information not personally identifiable. We may use or disclose health information about you in a way that does not personally identify you or reveal who you are.

E. USES AND DISCLOSURES PURSUANT TO YOUR WRITTEN AUTHORIZATION

Except for the purposes identified above in Sections B through D, we will not use or disclose your health information for any other purposes unless we have your specific written authorization. You have the right to revoke a written authorization at any time as long as you do so in writing. If you revoke your authorization, we will no longer use or disclose your health information for the purposes identified in the authorization, except to the extent that we have already taken some action in reliance upon your authorization.

F. YOUR RIGHTS REGARDING YOUR HEALTH INFORMATION

You have the following rights regarding your health information. You may exercise each of these rights, in writing, by providing us with a completed form that you can obtain from the Business Offices of the Manor, Terrace, or Health Center. In some instances, we may charge you for the cost(s) associated with providing you with the requested information. Additional information regarding how to exercise your rights, and the associated costs, can be obtained from the Administrator for the Residential & Campus Services Division, or the Administrator for the Health Care Services Division.

1. Right to Inspect and Copy. You have the right to inspect and/or receive an electronic or paper copy of your medical record and other health information that we use to make decisions about your care. We will provide a copy or summary of your health information, usually within 30 days of your request. However, we may deny your request to inspect and/or receive a copy your health information in certain limited circumstances. If you are denied access to your health information, you may request that the denial be reviewed. If the law gives you a right to have our denial reviewed, we will select a licensed health care professional to review your request and our denial. The person

conducting the review will not be the person who denied your request, and we will comply with the outcome of the review.

2. Right to Amend. You have the right to request an amendment of your health information that is maintained by or for Willamette View and is used to make health care decisions about you. We may deny your request if it is not properly submitted or does not include a reason to support your request. We may also deny your request if the information sought to be amended:

- (a) Was not created by us, unless the person or entity that created the information is no longer available to make the amendment
- (b) Is not part of the information that is kept by or for Willamette View
- (c) Is not part of the information which you are permitted to inspect and copy
- (d) Is accurate and complete

3. Right to an Accounting of Disclosures. You have the right to request an accounting of the disclosures of your health information made by us. This accounting will not include disclosures of health information that we made for purposes of treatment, payment, healthcare operations, or pursuant to a written authorization that you have signed. 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.

4. Right to Request Restrictions. You have the right to request a restriction or limitation on the health information we use or disclose about for treatment, payment, or health care operations. You also have the right to request a limit on the health information we disclose about you to someone, such as a family member or friend, who is involved in your care or in the payment of your care.

For example, you could ask that we not use or disclose information regarding a particular treatment that you received. We are not required to agree to your request. If we do agree, that agreement must be in writing and signed by you and us.

If you pay for a service or health care item out-of-pocket in full, you have the right to ask us not to share that information for the purpose of payment or our operations with your health insurer. We will agree to your request unless a law requires us to share that information.

5. Right to Request Confidential Communications. You have the right to request that we communicate to you about your health care in a certain way or at a certain location. For example, you can ask that we only contact you by mail.

6. Right to a Paper Copy of this Notice. You have the right to receive a paper copy of this Notice. You may ask us to give you a copy of this Notice at any time.

7. Right to be Notified of a Breach. You have the right to be promptly notified if there is a breach that compromises the security or privacy of your health information. Willamette View is required to notify you within 60 days of discovery of a breach.

G. QUESTIONS OR COMPLAINTS

If you have any questions regarding this Notice or wish to receive additional information about our privacy practices, please contact the Willamette View Health Center Administration at 503-353-7000. If you believe your privacy rights have been violated, you may file a complaint with our facility or with the Secretary of the Department of Health and Human Services (HHS).

To file a complaint with our facility, contact the Administrator of Healthcare Services at Willamette View, 13145 SE River Road, Portland, OR 97222.

To file a complaint with the HHS Office of Civil Rights, you may:

(1) Send a written complaint in your own format to:

Centralized Case Management Operations
US Department of Health and Human Services
200 Independence Avenue, S.W.
Room 509F HHH Bldg.
Washington D.C. 20201,

(2) Complete the HHS OCR Complaint form located at:

<https://www.hhs.gov/sites/default/files/hip-complaint-form-0945-0002exp-07312019.pdf>

and mail the same to:

Centralized Case Management Operations
US Department of Health and Human Services
200 Independence Avenue, S.W.
Room 509F HHH Bldg.
Washington D.C. 20201

(3) Or call 1-877-696-6775 or visit www.hhs.gov/ocr/privacy/hipaa/complaints/.

You will not be penalized for filing a complaint.