



**ADVANTAGE HEALTH PHYSICIAN NETWORK  
NOTICE OF PRIVACY PRACTICES**

Effective Date: January 1, 2008

**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.**

We at Advantage Health Physician Network (referred to herein as "Advantage Health") are required by law to maintain the privacy of individually identifiable patient health information (this information is "protected health information" and is referred to herein as ("PHI")). We are also required to provide patients with a Notice of Privacy Practices regarding PHI. We are required to post this Notice in a prominent place within our facility. We will only use or disclose your PHI as permitted or required by applicable state law. This Notice applies to your PHI in our possession including the medical records generated by us.

Advantage Health understands that your health information is highly personal, and we are committed to safeguarding your privacy. Please read this Notice of Privacy Practices thoroughly. It describes how Advantage Health will use and disclose your PHI.

This Notice applies to the delivery of health care by Advantage Health and its medical staff in the main hospital, outpatient departments, physician/providers' offices, clinics, and retail clinic locations. This Notice also applies to the utilization review and quality assessment activities of Saint Mary's Health Care as an associate of Trinity Health.

**I. Permitted Use or Disclosure**

**A. Treatment:** Advantage Health will use and disclose your PHI in the provision and coordination of health care to carry out treatment functions.

- ◆ Advantage Health will disclose all or any portion of your patient medical record information to consulting physician(s), resident physicians, nurses, technicians, medical students, other health care providers, staff and hospital staff/associates who have a legitimate need for such information in your care and continued treatment.
- ◆ Medical information about you will be shared in order to coordinate specific services, such as lab work, x-rays and prescriptions.
- ◆ Advantage Health also will disclose your medical information to people or entities outside Advantage Health who will be involved in your medical care such as family members and others who will provide services that are part of your care.
- ◆ Advantage Health will share certain information such as your name, address, employment, insurance carrier, emergency contact information and appointment scheduling information in an effort to coordinate your treatment with us and with other health care providers.
- ◆ Advantage Health will use and disclose your PHI to inform you of, or recommend possible treatment options or alternatives that will be of interest to you.
- ◆ Advantage Health will use and disclose PHI to contact you as a reminder that you have an appointment for treatment or medical care. If you are an inmate of a correctional institution or under the custody of a law enforcement officer, Advantage Health will disclose your PHI to the correctional institution or law enforcement official.

**B. Payment:** Advantage Health will disclose PHI about you for the purposes of determining coverage, eligibility, funding, billing, claims management, medical data processing, stop loss / reinsurance and reimbursement.

- ◆ The medical information will be disclosed to an insurance company, third party payer, third party administrator, health plan or other health care provider (or their duly authorized representatives) involved in the payment of your medical bill and will include copies or excerpts of your medical records which are necessary for payment of your account. It will also include sharing the necessary information to obtain pre-approval for payment for treatment from your health plan.
  - ◆ Advantage Health will disclose PHI to collection agencies and other subcontractors engaged in obtaining payment for care.
- C. Health Care Operations:** Advantage Health will use and disclose your PHI during routine health care operations including quality assurance, utilization review, medical review, internal auditing, accreditation, certification, licensing or credentialing activities of Advantage Health, and for educational purposes.
- ◆ For instance, Advantage Health will need to share your demographic information, diagnosis, treatment plan and health status for population based activities relating to improving health or reducing health care costs, protocol development, case management and care coordination, and contacting health care providers and patients with information about treatment alternatives, in order for us to operate our business in an efficient, safe and legal manner.
- D. Other Uses and Disclosures:** As part of treatment, payment and health care operations, we may also use your PHI for the following purposes:
- ◆ Medical Research: Advantage Health may disclose your PHI without your Authorization to medical researchers who request it for approved medical research projects; however, with very limited exceptions such disclosures must be cleared through a special approval process before any PHI is disclosed to the researchers. Researchers will be required to safeguard the PHI they receive.
  - ◆ Information and Health Promotion Activities: Advantage Health will use and disclose some of your PHI for certain health promotion activities. For example, your name and address will be used to send you newsletters or general communications. Advantage Health will also send you information based on your own health concerns. Advantage Health may send you this information if it has determined that a product or service may help you. The communication will explain how the product or service relates to your well-being and can improve your health.
- E. More Stringent State and Federal Laws:** The State law of Michigan is more stringent than HIPAA in several areas. State law is more stringent when the individual is entitled to greater access to records than under HIPAA and when under state law the records are more protected from disclosure than under HIPAA. Certain federal laws also are more stringent than HIPAA. Advantage Health will continue to abide by these more stringent state and federal laws. The federal laws include applicable Internet privacy laws, such as the Children's Online Privacy Protection Act and the federal laws and regulations governing the confidentiality of health information regarding substance abuse treatment. An example of more stringent State law is that patients in Michigan have more rights of access to behavioral health information under Michigan law than under HIPAA and the state law defines a minimum necessary standard for release of mental health information. Disclosure is permitted with consent and for treatment without consent but only in an emergency. Minors in Michigan have more rights to confidentiality and protection of certain information (reproductive health, behavioral health and substance abuse) than under HIPAA. State law requires facilities to adopt policies regarding release of information outside the facility. If the facility policy requires consent for release, then consent will be required. State law genetic and HIV testing and disclosure consents remain in place.

## II. Permitted Use or Disclosure with an Opportunity for You to Agree or Object

- A. Family/Friends:** Advantage Health will disclose PHI about you to a friend or family member who is involved in your medical care. Advantage Health will also give information to someone who helps you pay for your care. In addition, Advantage Health will disclose PHI about you to an agency assisting in a disaster relief effort so that your family can be notified about your condition, status and location. You have a right to request that your PHI not be shared with your family or friends.
- B. Promotional Communications:** Advantage Health does not share or sell your PHI to companies that market health care products or services directly to consumers for use by those companies to contact you, such as drug companies. Advantage Health may maintain mailing lists of individuals for promotional communications, disease management, and health promotion. Advantage Health may send information about its programs and services to the individuals on these lists. If you wish to be deleted from Advantage Health mailing lists, you may notify your Advantage Health office.

## III. Use or Disclosure Requiring Your Authorization

- A. Marketing:** Advantage Health is not permitted to provide your PHI to any other person or company for marketing to you of any products or services other than Advantage Health products or services unless you have signed an authorization.
- B. Research:** Advantage Health will use or disclose your PHI as part of research that includes providing you with treatment. For example, if you are part of a research study that includes treatment, Advantage Health may require that you sign an authorization to allow the researchers to use or disclose your PHI for this research.
- C. Other Uses:** Any uses or disclosures that are not for treatment, payment or operations and that are not permitted or required for public policy purposes or by law will be made only with your written authorization. Written authorizations will let you know why we are using your PHI. You have the right to revoke an authorization at any time.

## IV. Use or Disclosure Permitted by Public Policy or Law without your Authorization

- A. Law Enforcement Purposes:** Advantage Health will disclose your PHI for law enforcement purposes as required by law, such as responding to a court order or subpoena, identifying a criminal suspect or a missing person, or providing information about a crime victim or criminal conduct.

**Required by Law:** Advantage Health will disclose PHI about you when required by federal, state or local law to make reports or other disclosures. Advantage Health also will make disclosures for judicial and administrative proceedings such as lawsuits or other disputes in response to a court order or subpoena. Advantage Health will disclose your medical information to government agencies concerning victims of abuse, neglect or domestic violence. Advantage Health will report drug diversion and information related to fraudulent prescription activity to law enforcement and regulatory agencies. Specialized government functions will warrant the use and disclosure of PHI. These government functions will include military and veteran's activities, national security and intelligence activities, and protective services for the President and others. Advantage Health will make certain disclosures that are required in order to comply with workers' compensation or similar programs.

- B. Coroners, Medical Examiners, Funeral Directors:** Advantage Health will disclose your PHI to a coroner or medical examiner. For example, this will be necessary to identify a deceased person or to determine a cause of death. Advantage Health will also disclose your medical information to funeral directors as necessary to carry out their duties.

- C. Organ Procurement:** Advantage Health will disclose PHI to an organ procurement organization or entity for organ, eye or tissue donation purposes.
- D. Health or Safety:** Advantage Health will use and disclose PHI to avert a serious threat to health and safety of a person or the public. Advantage Health will use and disclose PHI to Public Health Agencies for immunizations, communicable diseases, etc. Advantage Health will use and disclose PHI for activities related to the quality, safety or effectiveness of FDA-regulated products or activities, including collecting and reporting adverse events, tracking and facilitating product recalls, etc. and post marketing surveillance. Any patient receiving a medical device subject to FDA tracking requirements may refuse to disclose, or refuse permission to disclose, their name, address, telephone number and social security number, or other identifying information for the purpose of tracking.

**V. Your Health Information Rights**

Although we at Advantage Health must maintain all records concerning your hospitalization and treatment by Advantage Health, you have the following rights concerning your PHI:

- A. Right to Access, Inspect and Copy:** You have the right to access your PHI and to inspect and copy your PHI as long as we maintain it except for: psychotherapy notes, information that will be used in a civil, criminal or administrative action or proceeding, and where prohibited or protected by law. Advantage Health will deny your request for access to your PHI without giving you an opportunity to review that decision if:
- ◆ You don't have the right to inspect the information; or it is otherwise prohibited or protected by law;
  - ◆ You are an inmate at a correctional institution and obtaining a copy of the information would risk the health, safety, security, custody or rehabilitation of you or other inmates;
  - ◆ The disclosure of the information would threaten the safety of any officer, employee or other person at the correctional institution or who is responsible for transporting you;
  - ◆ You are involved in an approved clinical research project and Advantage Health created or obtained the PHI during that research. Your access to the information will be temporarily suspended for as long as the research is in progress;
  - ◆ Advantage Health obtained the information that you seek access to from someone other than the health care provider under a promise of confidentiality and your access request is likely to reveal the source of the information; or
  - ◆ Under other limited circumstances. In these instances, however, Advantage Health will allow the review of its decision by a health care professional that Advantage Health has chosen. This person will not have been involved in the original decision to deny your request.

You may be required to pay a reasonable copying charge. You must make your requests to access and copy your PHI in writing to Advantage Health. Advantage Health will respond to your request within 30 days of its receipt. If Advantage Health cannot respond to your request within 30 days, Advantage Health will notify you in writing to explain the delay and the date by which we will act on your request. In any event, Advantage Health will act on your request within 60 days of its receipt.

- B. Right to Amend:** You have the right to amend your PHI for as long as Advantage Health maintains it. However, Advantage Health will deny your request for amendment if:
- ◆ Advantage Health did not create the information;
  - ◆ The information is not part of the designated record set;
  - ◆ The information would not be available for your inspection (due to its condition or nature); or
  - ◆ The information is accurate and complete.

If Advantage Health denies your request to make changes in your PHI, Advantage Health will notify you in writing with the reason for the denial. Advantage Health will also inform you of your right to submit a written statement disagreeing with the denial. You may ask that Advantage Health include your request for amendment and the denial any time that Advantage Health discloses the information that you wanted changed. Advantage Health may prepare a rebuttal to your statement of disagreement and will provide you with a copy of that rebuttal.

You must make your request for amendment of your PHI in writing to Advantage Health, including your reason to support the requested amendment. Advantage Health will respond to your request within 60 days of its receipt. If Advantage Health cannot, you will be notified in writing to explain the delay and the date by which Advantage Health will act on your request. In any event, Advantage Health will act on your request within 90 days of its receipt.

**C. Right to an Accounting:** You have a right to receive an accounting of the disclosures of your PHI that Advantage Health made, except for the following disclosures:

- ◆ To carry out treatment, payment or health care operations;
- ◆ To you;
- ◆ To persons involved in your care;
- ◆ For national security or intelligence purposes;
- ◆ To correctional institutions or law enforcement officials; or
- ◆ That occurred prior to April 14, 2003.

For each disclosure, you will receive: the date of the disclosure, the name of the receiving organization and address if known, a brief description of the PHI disclosed and a brief statement of the purpose of the disclosure or a copy of the written request for the information, if there was one.

You must make your request for an accounting of disclosures of your PHI in writing to Advantage Health. You must include the time period of the accounting, which may not be longer than 6 years. Advantage Health will respond to your request within 60 days from its receipt. If Advantage Health cannot respond to your request, you will be notified in writing to explain the delay and the date by which the Advantage Health will act on your request. In any event, Advantage Health will act on your request within 90 days of its receipt.

In any given 12-month period, Advantage Health will provide you with an accounting of the disclosures of your PHI at no charge. Any additional requests for an accounting within that time period will be subject to a reasonable fee for preparing the accounting.

**D. Right to Request Restrictions:** You have the right to request restrictions on certain uses and disclosures of your PHI:

- ◆ To carry out treatment, payment or health care operations functions;
- ◆ Restricting specific information to only specified family members, relatives, close personal friends or other individuals involved in your care; or

For example, you may ask that your name not be used in the waiting room. Advantage Health will consider your request but is not required to agree to the requested restrictions.

**E. Right to Confidential Communications:** You have the right to receive confidential communications of your PHI by alternative means or at alternative locations. For example, you may request that Advantage Health only contact you at work or by mail.

**F. Right to Receive a Copy of this Notice:** You have the right to receive a paper copy of this Notice of Privacy Practices upon request. For more information regarding your rights to access, amend, receive an accounting or seek restrictions regarding the use of your PHI please feel free to contact your Advantage Health physician's office.

**VI. Complaints**

If you believe your privacy rights have been violated, you may file a complaint with Advantage Health or with the Secretary of the Department of Health and Human Services. To file a complaint with Advantage Health, please feel free to contact your Advantage Health physician's office. You may also submit your privacy-related complaints in writing directly to the Advantage Health's Privacy Officer.

Complaints may also be submitted to the Health and Human Services Office for Civil Rights at:

Office for Civil Rights  
U.S. Department of Health and Human Services  
233 N. Michigan Ave., Suite 240  
Chicago, IL 60601  
Voice Phone (312) 886-2359  
FAX (312) 886-1807

Advantage Health assures you that there will be no retaliation for filing a complaint.

**VII. Sharing and Joint use of your Health Information**

In the course of providing care to you and in furtherance of Advantage Health's mission to improve the health of the community, Advantage Health will share your PHI with other organizations as described below whom have agreed to abide by the terms described below:

**A. Saint Mary's Health Care:** Saint Mary's Health Care and Advantage Health participate together in an organized health care arrangement to deliver health care to you at Saint Mary's Health Care locations. Both Saint Mary's Health Care and its Medical Staff have agreed to abide by the terms of this Notice with respect to PHI created or received as part of delivery of health care services to you. Physicians and allied health care providers are members of Saint Mary's Medical Staff and will have access to and use your PHI for treatment, payment and health care operations purposes related to your care within Saint Mary's Health Care. Advantage Health will disclose your PHI to Saint Mary's Health Care for payment, treatment and health care operations.

**B. Southwest Surgical Center (64<sup>th</sup> St. LLC):** The Southwest Surgical Center and Advantage Health participate together in an organized health care arrangement to deliver health care to you. Advantage Health and the Southwest Surgical Center have agreed to abide by the terms of this Notice with respect to PHI created or received as part of delivery of health care services to you at the Southwest Surgical Center. The Physicians and health care providers practicing at the Southwest Surgical Center will access, use or disclose your PHI for treatment, payment and health care operations purposes related to your care at the Southwest Surgical Center and at Advantage Health.

**C. West Michigan Regional Delivery Network (WMRDN):** Advantage Health and the WMRDN participate together in an organized health care arrangement for activities including, but not limited to, assessment of the care and outcomes in your case; quality and utilization assessment and improvement programs; medical review and education; financial risk management; and administration. As part of those activities, your medical information may be combined with medical information from other health care providers, although we may remove information that identifies you so that others may use it to study health care and its delivery without learning the identities of specific patients.

- D. Business Associates:** Advantage Health will use and disclose your PHI to business associates contracted to perform business functions on its behalf including Trinity Health, who performs certain business functions for Saint Mary's Health Care and Advantage Health. Whenever an arrangement between Advantage Health and another company involves the use or disclosure of your PHI, that business associate will be required to keep your information confidential.
- E. Membership in Trinity Health:** Advantage Health and Saint Mary's Health Care, members of Trinity Health and Trinity Health participate together in an organized health care arrangement for utilization review and quality assessment activities. Members of Trinity Health have agreed to abide by the terms of this Notice with respect to PHI created or received as part of utilization review and quality assessment activities of Trinity Health and its members. Members of Trinity Health will abide by the terms of their own Notice of Privacy Practices in using your PHI for treatment, payment or healthcare operations. As Advantage Health is affiliated with Saint Mary's Health Care, part of Trinity Health, a national Catholic health care system, Saint Mary's, and other hospitals, nursing homes and health care providers in Trinity Health share your PHI for utilization review and quality assessment activities of Trinity Health, the parent company, and its members. Members of Trinity Health also use your PHI for your treatment, payment to Saint Mary's Health Care and Advantage Health and/or for the health care operations permitted by HIPAA with respect to our mutual patients.
- F. Affiliations:** Advantage Health Physician Network (assumed name for Advantage Health and Advantage Health Physicians, PC) is affiliated with the following health care organizations:
- Advantage Health Convenient Care, PLLC
  - Advantage Health Weigh to Wellness
  - East Hills Imaging Services, INC
  - Grand Rapids Medical Education & Research Center
  - Pine Rest Christian Mental Health Services
  - Rehabilitation Professionals, LLC
  - Saint Mary's Affiliated Pharmacies
  - Saint Mary's Ambulatory Sites
  - Saint Mary's Health Care/Saint Mary's Hospital
  - Southwest Surgical Center/64<sup>th</sup> St LLC
  - Spectrum Health - Saint Mary's Shared Technology Services, Inc.
  - West Michigan Financial Shared Services
  - West Michigan Regional Delivery Network

Advantage Health may share your PHI with these organizations for purposes of treatment, payment and health care operations related to your care.

**VIII. Additional Information**

For further information regarding the issues covered by this Notice of Privacy Practice, please contact:

Privacy Officer Advantage Health Physicians Network 245 State St, SE Grand Rapids, Michigan 49503 616-913-1800	Organizational Integrity Office Saint Mary's Health Care 200 Jefferson Ave, SE Grand Rapids, Michigan 49503 616-752-6164
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**IX. Changes to this Notice**

Advantage Health will abide by the terms of the Notice currently in effect. Advantage Health reserves the right to change the terms of its Notice and to make the new Notice provisions effective for all PHI that it maintains.