

**NOTICE OF PRIVACY PRACTICES**  
**(Pursuant to the Health Insurance Portability and Accountability Act of 1996)**

**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.**

EXTENDICARE HEALTH SERVICES, INC. (“Extendicare”) is required by law to maintain the privacy of your protected health information (“PHI”) or simply “health information.” We also are required to provide you with this Notice so that you will understand our legal duties and how we may use or disclose your health information. Protected health information is information about you, including demographic information, that may identify you and that relates to your past, present or future physical or mental health condition and related health care services. This Notice describes the practices of Extendicare and its affiliates (together “the affiliated covered entity” or “Extendicare”). If you have any questions about this Notice, please contact the Center Privacy Designee or Extendicare Privacy Officer.

**UNDERSTANDING YOUR DESIGNATED RECORD SET**

Each time you are admitted to our Center, a record of your stay is made containing health and financial information. Typically, this record contains information about your condition, the treatment we provide and payment for the treatment. This information makes up your Designated Record Set. We may use and/or disclose this information to:

- plan your care and treatment
- communicate with other health professionals involved in your care
- document the care you receive
- educate health professionals
- provide information for medical research
- provide information to public health officials
- evaluate and improve the care we provide
- obtain payment for the care we provide

Understanding what is in your record and how your health information is used helps you to:

- ensure it is accurate
- better understand who may access your health information
- make more informed decisions when authorizing disclosure to others

**HOW WE MAY USE AND DISCLOSE YOUR PROTECTED HEALTH INFORMATION**

The following categories describe the ways that we may use and disclose health information. Not every use or disclosure in a category will be listed. However, all of the ways that we are permitted to use and disclose information will fall into one of these categories.

- **For Treatment.** We may use and disclose your health information to provide treatment to you. Extendicare personnel (e.g., nurses, therapists and others) will share your health information with each other in order to provide you with appropriate treatment. For example, your nurse may need to tell the dietitian that you have diabetes so that she can plan your meals. We may also disclose your health information to health care providers outside our Center who are involved in your care. These include a variety of providers such as physicians (e.g., M.D., D.O., podiatrist, dentist, optometrist), therapists (e.g., physical therapist, occupational therapist, speech therapist), portable radiology units, clinical labs, hospice caregivers, pharmacies, psychologists, social workers, and medical equipment suppliers. For example, a doctor treating you for a broken leg needs to know if you have diabetes because diabetes may slow the healing process. We may disclose health information to those who may be involved

in your care after you leave our Center. This may include home health nurses who will be providing care in your home.

- **For Payment.** We may use and disclose health information about you so that the treatment and services you receive at this Center may be billed to you, a government program, an insurance company or other third party payors. For example, in order to be paid, we may need to share information with your payor about services we provided to you. We may also discuss with payors a treatment that you are going to receive in order to obtain prior approval or to determine whether payors will cover the treatment. We may disclose health information to health plans or other health care providers for their payment activities.
- **For Health Care Operations.** We may use and disclose health information about you for our day-to-day health care operations. This is necessary to ensure that all residents receive quality care. For example, we may use health information for quality assessment and improvement activities and for developing and evaluating clinical protocols. We may also combine health information about many Extencicare residents to help determine what additional services Extencicare should offer, what services should be discontinued, and whether certain new treatments are effective. Health information about you may be used by our corporate office for business development and planning, cost management analyses, insurance claims management, risk management activities, and in developing and testing information systems and programs. We may also use and disclose information for professional review, performance evaluation, and for training programs. Other aspects of health care operations that may require use and disclosure of your health information include accreditation, certification, licensing and credentialing activities, review and auditing, including compliance reviews, medical reviews, legal services and compliance programs. Your health information may be used and disclosed for the business management and general activities of the Center including resolution of internal grievances, customer service and due diligence in connection with a sale or transfer of the Center. In limited circumstances, we may disclose your health information to another entity subject to HIPAA for its own health care operations. We may remove information that identifies you so that the health information may be used to study health care and health care delivery without learning the identities of residents. We may disclose your age, birth date and general information about you in the Center newsletter, on activities calendars, and to entities in the community that wish to acknowledge your birthday or commemorate your achievements on special occasions. If you are receiving therapy services, we may post your photograph and general information about your progress.

#### **OTHER ALLOWABLE USES AND DISCLOSURES OF YOUR PROTECTED HEALTH INFORMATION**

- **Business Associates.** There are some services we provide through contracts with business associates. Examples of business associates include medical directors, outside attorneys, and pharmacists. We may disclose your health information so that our business associates can perform the job we've asked them to do. To protect your information, we require the business associate to appropriately safeguard your PHI.
- **Treatment Alternatives.** We may use and disclose health information to tell you about possible treatment options or alternatives that may be of interest to you.
- **Health-Related Benefits and Services.** We may use and disclose health information to tell you about health-related benefits or services that may be of interest to you.
- **Fundraising Activities.** Extencicare does not currently use health information for fundraising on its own behalf. If this practice changes in the future, we will only release demographic information and the dates of health care provided to residents.
- **Center Directory.** We may include information about you in the Center directory while you are a resident. This information may include your name, location in the Center, your general condition (e.g., fair, stable, etc.) and your religion. The directory information, except for your religion, may be disclosed to people who ask for you by name. We may disclose your name and religion to a member of the clergy, such as a priest or rabbi, even if they don't ask for you by name. This is so your family, friends and clergy can visit you in the Extencicare Center and generally know how you are doing.
- **Individuals Involved in Your Care or Payment for Your Care.** We may disclose health information about you to a close friend, family member or other relative, or any person you designate who is involved in your care or payment for your care. We will provide the amount of health information relevant to the individual's involvement

in your care or payment for your care. We may disclose health information about you to an entity assisting in a disaster relief effort so that your family can be notified about your condition, status and location.

- **As Required By Law.** We will disclose health information about you when required to do so by federal, state or local law.
- **To Avert a Serious Threat to Health or Safety.** We may use and disclose health information about you to prevent a serious threat to your health and safety or the health and safety of the public or another person. We would do this only to help prevent the threat.

### **YOUR RIGHTS REGARDING YOUR PROTECTED HEALTH INFORMATION**

Although your record is the property of the Center, you have the following rights regarding your health information:

- **Right to Inspect and Copy.** You have the right to review and copy your health information.

*You must submit your request to the Center Privacy Designee who may require that it be reduced to writing. We may charge a fee for the costs of copying, mailing or other supplies associated with your request.*

- **Right to Amend.** If you feel that health information in your record is incorrect or incomplete, you may ask us to amend the information. You have this right for as long as the information is kept by or for the Center. (An amendment is not necessary to correct clerical errors).

*You must submit your request in writing on the form provided by the Center Privacy Designee. In addition, you must provide a reason for your request.*

We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that:

- Was not created by us, unless the person or entity that created the information is no longer available to make the amendment;
- Is not part of the health information kept by or for the Center; or
- Is accurate and complete.

- **Right to an Accounting of Disclosures.** You have the right to request an "accounting of disclosures". This is a list of certain disclosures we made of your health information, other than those made for purposes such as treatment, payment, or health care operations, or pursuant to your authorization.

*You must submit your request in writing to the Center Privacy Designee. Your request must state a time period, which may not be longer than six (6) years from the date the request is submitted and may not include dates before April 14, 2003. Your request should indicate in what form you want the list (for example, on paper or electronically). The first list you request within a 12-month period will be free. For additional lists, we may charge you for the costs of providing the list. We will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred.*

- **Right to Request Restrictions.** You have the right to request a restriction or limitation on the health information we use or disclose about you. You may request that we limit the health information on the Center Directory or that we limit disclosure to someone who is involved in your care or the payment for your care. For example, you could ask that we not use or disclose information about your therapy progress to a family member or friend.

**We are not required to agree to your request except if you request that we not disclose health information to your health plan with respect to healthcare for which you have already paid in full out of pocket.** If we agree, we will comply with your request unless the information is needed to provide emergency treatment.

*You must submit your request in writing to the Center Privacy Designee. In your request, you must tell us (1) what information you want to limit; (2) whether you want to limit our use, disclosure or both; and (3) to whom you want the limits to apply, for example, disclosures to your spouse.*

- **Right to Request Alternate Communications.** You have the right to request that alternative methods be used to communicate with you regarding your protected health information. For example, while you are a resident at our Center, you may request that we mail your billing statements to your son's home address rather than providing them directly to you.

*You must submit your request in writing to the Center Privacy Designee. We will not ask you the reason for your request. Your request must specify how or where you wish to be contacted. We will accommodate all reasonable requests.*

- **Right to a Paper Copy of This Notice.** You have the right to a paper copy of this Notice even if you have agreed to receive the Notice electronically. You may ask us to give you a copy of this Notice at any time.

You may obtain a copy of this Notice at our website, [www.extendicare.com/HIPAA](http://www.extendicare.com/HIPAA).

To obtain a paper copy of this Notice, contact the Center Privacy Designee.

### **SPECIAL SITUATIONS**

- **Organ and Tissue Donation.** If you are an organ donor, we may disclose health information to organizations that handle organ procurement to facilitate donation and transplantation.
- **Military and Veterans.** If you are a member of the armed forces, we may disclose health information about you as required by military authorities. We may also disclose health information about foreign military personnel to the appropriate foreign military authority.
- **Research.** Under certain circumstances, we may use and disclose health information about you for research purposes. For example, a research project may involve comparing the health and recovery of all residents who received one medication to those who received another medication for the same condition. All research projects are subject to a special approval process. This process evaluates a proposed research project and its use of health information, trying to balance the research needs with the residents' need for privacy of their health information. Before we use or disclose health information for research, the project will have been approved through this research approval process. We may, however, disclose health information about you to people preparing to conduct a research project so long as the health information they review does not leave our Center.
- **Workers' Compensation.** We may disclose health information about you for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.
- **To your employer.** If we are providing health care to you at the request of your employer, we may disclose PHI specific to your work-related illness or injury if your employer needs the PHI to comply with its obligations under federal or state occupational safety and health laws.
- **Public Health Risks.** We may disclose health information about you for public health purposes, including:
  - Prevention or control of disease, injury or disability;
  - Reporting births and deaths;
  - Reporting child abuse or neglect;
  - Reporting reactions to medications or problems with products;
  - Notifying people of recalls of products;
  - Notifying a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease;
  - Notifying the appropriate government authority if we believe a resident has been the victim of abuse, neglect or domestic violence. We will only make this disclosure if you agree or when required or authorized by law.
- **Health Oversight Activities.** We may disclose health information to a health oversight agency for activities authorized by law. These oversight activities may include audits, investigations, and inspections. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.

- **Lawsuits and Disputes.** If you are involved in a lawsuit or a dispute, we may disclose health information about you in response to a court or administrative order. We may also disclose health information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.
- **Law Enforcement.** We may disclose health information when requested by a law enforcement official:
  - In response to a court order, subpoena, warrant, summons or similar process;
  - To identify or locate a suspect, fugitive, material witness, or missing person;
  - About you, the victim of a crime, if, under certain limited circumstances, we are unable to obtain your agreement;
  - About a death we believe may be the result of criminal conduct;
  - About criminal conduct at the Extencare Center;
  - In emergency circumstances, to report a crime; the location of the crime or victims; or the identity, description or location of the person who committed the crime: and
  - If you are an inmate of a correctional institution or in the custody of a law enforcement official, if the disclosure is necessary (1) for the institution to provide you with health care; (2) to protect your health and safety or the health and safety of others; or (3) for the safety and security of the correctional institution.
- **Coroners, Medical Examiners and Funeral Directors.** We may disclose health information to a coroner or medical examiner. This may be necessary to identify a deceased person or determine the cause of death. We may also disclose health information to funeral directors as necessary to carry out their duties.
- **National Security and Intelligence Activities.** We may disclose health information about you to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.

#### **CHANGES TO THIS NOTICE**

We reserve the right to change this Notice. We reserve the right 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 the current Notice in the Center and on our website ([www.extencare.com/HIPAA](http://www.extencare.com/HIPAA)). The Notice will specify the effective date. In addition, if material changes are made to this Notice, the Notice will contain an effective date for the revisions. Copies may be obtained by contacting the Center Privacy Designee or the Extencare Privacy Officer.

#### **COMPLAINTS**

If you believe your privacy rights have been violated, you may file a complaint with the Center or with the Secretary of the U. S. Department of Health and Human Services. To file a complaint with the Center, contact the Center Privacy Designee or the Extencare Privacy Officer at (800) 395-5000, ext. 8221. All complaints must be submitted in writing. **You will not be penalized for filing a complaint.**

#### **OTHER USES OF HEALTH INFORMATION**

Other uses and disclosures of health information not covered by this Notice or the laws that apply to us will be made only with your written permission. This includes, except for limited circumstances allowed by federal privacy law, not using or disclosing psychotherapy notes about you, selling your health information to others, or using or disclosing your health information for certain promotional communications that are prohibited marketing communications under federal law, without your written permission. Once you give us permission to release your health information, we cannot guarantee that the recipient to whom the information is provided will not disclose the information. If you provide us permission to use or disclose health information about you, you may revoke that permission, in writing, at any time. If you revoke your permission, we will no longer use or disclose health information about you for the reasons covered by your written authorization. You understand that we are unable to take back any disclosures we have already made with your permission.

#### **EFFECTIVE DATE**

The effective date of this Notice is September 23, 2013, unless otherwise provided for in this Notice.

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