

COMMUNITY CANCER CENTER

NOTICE OF PRIVACY PRACTICES

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 privacy notice will be used by the Community Cancer Center, which includes services rendered by Radiation Oncology, located at 407 E. Vernon, Normal, IL, 61761.

I. HOW THE COMMUNITY CANCER CENTER MAY USE OR DISCLOSE YOUR HEALTH INFORMATION

Federal law requires the Community Cancer Center to maintain the privacy of individually identifiable health information and to provide you with notice of its legal duties and privacy practices with respect to such information. The Community Cancer Center must abide by the terms and conditions of this Privacy Notice, as the Community Cancer Center may revise this Privacy Notice from time to time.

A. Uses or Disclosures of Health Information for Treatment, Payment, & Health Care Operations

The Community Cancer Center, which includes services rendered by Radiation Oncology, may use your individually identifiable health information for treatment, payment and health care operations. Examples of treatment, payment and health care operations include:

- *Treatment* could include consulting with or referring your case to another health care provider. The type of health information that the Community Cancer Center could use or disclose includes, but is not limited to, such health conditions as blood type, diagnosis of your condition or pregnancy status. We may disclose medical information about you to doctors, nurses, technicians, medical students or other personnel who are involved in taking care of you. Information may be shared among departments and organizations to coordinate the different things you may need, such as prescriptions, lab work, meals, x-rays, home care, hospice, or medical equipment needs. We may also provide your physician or a subsequent provider with copies of various reports that should assist him or her in treating you once you are discharged from our care. We may disclose medical information about you to people outside of the Community Cancer Center who may be involved in your continuing medical care including other health care providers, transport companies, other health care facilities, family members or others that are part of your care.
- *Payment* could include the Community Cancer Center's efforts to obtain reimbursement from you or a responsible third party for services that the Community Cancer Center has provided to you.
- *Health Care Operations* could include activities such as quality assessment and improvement activities and audits of the process of billing you or a third party for health care services that the Community Cancer Center, which includes services rendered by The Community Cancer Center, provides to you. As part of The Community Cancer Center's treatment of you and operation of a health care organization, the Community Cancer Center may contact you, by phone or by mail, to provide appointment reminders or to provide information about treatment alternatives or other health-related services that may be of interest to you. We may also use and disclose medical information to assess your satisfaction with our services, for future communications in newsletters, mail outs regarding treatment options disease management programs, wellness programs or other community based initiatives our facility is partnering. The Community Cancer Center may also contact you for fundraising purposes, although you will be provided the opportunity to opt out of any future fundraising communications. We will also use your information for conducting training programs and reviewing competence of health care professionals.

B. Uses or Disclosures The Community Cancer Center May Make Without Your Consent or Authorization

In addition to treatment, payment and health care operations, and unless this Privacy Notice recites a more stringent restriction in Section C, the law permits or requires the Community Cancer Center to use or disclose individually identifiable health information without your written consent or authorization to: (i) comply with public health reporting and notification requirements, including reporting of adverse product events to the Food and Drug Administration, (ii) report suspected abuse, neglect or domestic violence, as required by law, (iii) submit information to health oversight agencies for oversight activities, such as audits, authorized by law, (iv) respond to a final order or subpoena of a court or administrative tribunal, (v) assist law enforcement personnel, as required by law, or to fulfill a law enforcement request for certain limited information for the purpose of identifying or locating a suspect, witness, or victim in an

investigation, or to report a potential crime (vi) assist a medical examiner or funeral director, (vii) assist an organ procurement organization or organ bank in facilitating organ or tissue donation and transplantation, (viii) further research, provided that the Community Cancer Center complies with federal requirements, (ix) avert a serious and imminent threat to public health safety, (x) assist with government activities related to the military, veterans, or national security, (xi) comply with workers' compensation or similar laws, (xii) allow individuals responsible for your care to assist you in the event of your incapacity or an emergency, and (xiii) as otherwise required by law. With your oral agreement, the Community Cancer Center may also disclose certain information for purposes of its patient directory or to inform relatives or other individuals directly involved in your care or payment for your care regarding your condition.

In addition, the Community Cancer Center may use and/or disclose your individually identifiable health information as follows:

- *Business Associates:* There are some services provided by the Community Cancer Center through contracts with business associates which are vendors, professionals and others who perform some treatment, payment or health care operations functions on behalf of the Community Cancer Center and all subcontracting business associates on behalf of the Community Cancer Center or who otherwise provide services and have access to or use your protected health information. Examples include a copy service we use when making copies of your health record and patient safety organizations. When these services are contracted, we may disclose your health information to our business associates so that they can perform the job we have asked them to do and bill you or your third-party payer for services rendered. To protect your health information, however, we require the business associate to appropriately safeguard your information by requiring that they enter into an appropriate agreement with the Community Cancer Center organization.
- *Notification:* Unless you object, health professionals, using their best judgment, may use or disclose information to notify or assist in notifying a family member, personal representative, or any person responsible for your care, your location, and general condition. If you are unable to object, we may exercise our professional judgment to determine if a disclosure is in your best interest and disclose only information that is directly relevant to the person's involvement with your health care.
- *Communication with Family:* Unless you object, health professionals, using their best judgment, may use or disclose to a family member, other relative, close personal friend or any other person you identify, health information relevant to that person's involvement in your care or payment related to your care. If you are unable to object, we may exercise our professional judgment to determine if a disclosure is in your best interest and disclose only information that is directly relevant to the person's involvement with your health care.
- *Disaster Relief:* We may use or disclose information for disaster relief purposes.
- *Incidental Uses and Disclosures:* We are permitted to use and disclose information incident to another use or disclosure of your protected health information permitted or required under law.
- *Limited Data Sets:* We may use or disclose a limited data set (i.e., in which certain identifying information has been removed) of your protected health information for purposes of research, public health, or health care operations. Any recipient of that limited data set must agree to appropriately safeguard your information.

C. More Stringent Protection for Your Health Information

In certain cases, Illinois law provides more stringent privacy protections of your health information than this Privacy Notice recites above. Specifically, the following:

- *If you are a patient with high blood pressure,* your physician may not release your medical records to the Illinois High Blood Pressure Registry without your written permission.
- *If you are a patient of an advanced practice nurse,* neither the Community Cancer Center nor the nurse may reveal your medical records to the Advanced Practice Nursing Board or the Department of Professional Regulation without your written permission in instances in which (i) the Advanced Practice Nursing Board has taken a final adverse action against the nurse, (ii) the nurse has surrendered his or her license while under disciplinary investigation by the Advanced Practice Nursing Board, or (iii) the Community Cancer Center has terminated or restricted the nurse's organized professional staff clinical privileges for disciplinary violations related to your treatment. However, please note that the nurse or the Community Cancer Center may reveal your name or other means of identifying you as a patient without your written permission and may release such information as otherwise described in this Privacy Notice.
- *If you are a patient of a physician,* the Community Cancer Center may not reveal your medical records to the Medical Disciplinary Board without your written permission in instances in which your treatment is

a subject of a report relating to a physician's professional conduct or capacity, including reports regarding a physician who is impaired by reason of age, drug or alcohol abuse or physical or mental impairment. However, please note that the Community Cancer Center may include your name or other means of identifying you in its reports to the Medical Disciplinary Board without your permission and may release such information as this Privacy Notice may otherwise describe. The Community Cancer Center may also provide copies of your hospital or medical records in cases alleging your death or permanent bodily injury, provided that the law requires the Community Cancer Center to report such events to the Department of Professional Regulation, and the Department of Professional Regulation or the Medical Disciplinary Board has subpoenaed such records.

- *If you are or have been a recipient of an HIV test*, the Community Cancer Center may only disclose your test results in a manner which identifies you to those persons you (or your legally authorized representative) have designated in writing, except that the Community Cancer Center may disclose your test results to: (i) you or your legally authorized representative; (ii) your spouse if a Western Blot Assay or a more reliable test has confirmed that your results are positive, and your physician has sought unsuccessfully to persuade you to notify your spouse, or your physician believes that you have not provided notification to your spouse as you had previously agreed; (iii) an authorized agent or employee of a health care facility or a health care provider if the health care facility or a health care provider itself has authority to obtain your test results, the agent or employee provides patient care or handles or processes specimens of your body fluids or tissues, and the agent or employee has a need to know such information; (iv) the Illinois Department of Public Health and local health authorities, in accordance with rules for reporting and controlling the spread of disease, as otherwise set forth in state law; (v) a health care facility or health care provider that procures, processes, distributes or uses either a human body part from you after you are deceased, or semen you have provided prior to the effective date of the AIDS Confidentiality Act for the purpose of artificial insemination; (vi) any health care provider or employee of a health facility, and any firefighter or emergency medical technician, involved in an accidental direct skin or mucous membrane contact with your blood or bodily fluids, which is of the nature that may transmit HIV, as a physician may determine in his or her medical judgment; (vii) any law enforcement officer involved in the line of duty in a direct skin or mucous membrane contact with your blood or bodily fluids, which is of the nature that may transmit HIV, as a physician may determine in his or her medical judgment; (viii) a temporary caretaker if you are a child who is in the temporary protective custody of the Department of Children and Family Services pursuant to Section 5 of the Abused and Neglected Child Reporting Act; (ix) your parent or legal guardian if you are a minor under 18 years of age and a Western Blot Assay or a more reliable test has confirmed that your results are positive, and if in the professional judgment of your health care provider, notification would be in your best interest and your health care provider has first sought unsuccessfully to persuade you to notify your parent or legal guardian, or if your health care provider believes that you have not provided notification to your parent or legal guardian as you had previously agreed; and (x) your school principal in accordance with state law. Please note that a recipient of your test results may not redisclose this information except as this Privacy Notice may describe.

- *If you are a patient of a physician*, the physician may not disclose any information that he or she may have acquired while attending to you in a professional character that was necessary to enable him or her to professionally serve you, without your permission, or in the case of your death or disability, without the permission of your personal representative, except that the physician may disclose such information (i) in trials for homicide when the disclosure relates to the facts or immediate circumstances of the homicide; (ii) in civil or criminal malpractice actions that a person has brought against your physician; (iii) in all actions that you or your representative, a beneficiary under an insurance policy, or the executor or administrator of your estate have brought or are defending wherein your physical or mental condition is an issue; (iv) when the validity of a document as your will is at issue; (v) in any criminal action where the charge is either first degree murder by abortion or attempted abortion or abortion; (vi) in civil or criminal actions arising from a person filing a report in compliance with the Abused and Neglected Child Reporting Act; (vii) in prosecutions where Section 11-501.4 of the Illinois Vehicle Code permits the court to admit the written results of blood alcohol tests into evidence; and (viii) in prosecutions where Section 5-11a of the Boat Registration and Safety Act permits the court to admit the written results of blood alcohol tests into evidence.

- *If you are a patient of a physician or other health care provider*, either you or your guardian may refuse to consent to the disclosure of the nature or details of services the Community Cancer Center has provided to you for the Community Cancer Center's health care operations other than peer review, utilization review or quality assurance. A physician or other health care provider may not deny services to you if you refuse to consent to such a disclosure.

- *If you are a resident of a nursing home facility*, the Community Cancer Center may not allow any person who is not directly involved in your care to be present during a discussion of your case, a

consultation on your condition, or your examination or treatment, without your permission, which may be oral or written. Please note that we interpret “any person who is not directly involved in your care” to mean those individuals other than facility personnel (or contractors) directly responsible for rendering care to you at the facility. Thus, such individuals would include your family members and significant others who are “not directly involved in your care.” Such individuals would also include facility personnel not directly involved in the rendering of care, such as the housekeeping staff in most circumstances.

- *If you are a resident of a skilled nursing facility*, the Community Cancer Center may not allow any person who is not directly involved in your care to be present during a discussion of your case, a consultation on your condition, or your examination or treatment, without your permission, which may be oral or written. Please note that we interpret “any person who is not directly involved in your care” to mean those individuals other than facility personnel (or contractors) directly responsible for rendering care to you at the facility. Thus, such individuals would include your family members and significant others who are “not directly involved in your care.” Such individuals would also include facility personnel not directly involved in the rendering of care, such as the housekeeping staff in most circumstances.

- *If you are a patient of a home health agency*, the Community Cancer Center may not allow the Department of Public Health to observe the home health agency’s care of you in your home without your permission, which may be oral or written.

- *If you are a client of a clinical social worker*, the social worker may not disclose any information he or she may have acquired while attending to you in a professional capacity without your written permission, except (i) in the case of your death or disability, with the written permission of your personal representative, a person with authority to sue on your behalf, or the beneficiary of an insurance policy on your life, health or physical condition; (ii) when a communication reveals that you intend to commit certain crimes or harmful acts; (iii) when you waive the privileged nature of communication by bringing public charges against the social worker; or (iv) when the social worker acquires the information during an elder abuse investigation.

- *If you are a client of a health educator*, the health educator may not disclose any information he or she may have acquired while attending to you in a professional capacity without your written permission, except (i) in the case of your death or disability, with the written permission of your personal representative, a person with authority to sue on your behalf, or the beneficiary of an insurance policy on your life, health or physical condition; (ii) when a communication reveals that you intend to commit certain crimes or harmful acts; (iii) when you waive the privileged nature of communication by bringing public charges against the health educator; or (iv) when the health educator acquires the information during an elder abuse investigation.

- *If you are a client of a dietician*, the dietician may not disclose any information he or she may have acquired while attending to you in a professional capacity without your written permission, except (i) in the case of your death or disability, with the written permission of your personal representative, a person with authority to sue on your behalf, or the beneficiary of an insurance policy on your life, health or physical condition; (ii) when a communication reveals that you intend to commit certain crimes or harmful acts; (iii) when you waive the privileged nature of communication by bringing public charges against the dietician; or (iv) when the dietician acquires the information during an elder abuse investigation.

- *If you are a client of a breast health navigator*, the breast health navigator may not disclose any information he or she may have acquired while attending to you in a professional capacity without your written permission, except (i) in the case of your death or disability, with the written permission of your personal representative, a person with authority to sue on your behalf, or the beneficiary of an insurance policy on your life, health or physical condition; (ii) when a communication reveals that you intend to commit certain crimes or harmful acts; (iii) when you waive the privileged nature of communication by bringing public charges against the breast health navigator; or (iv) when the breast health navigator acquires the information during an elder abuse investigation.

- *If you are a client of a chaplain*, the chaplain may not disclose any information he or she may have acquired while attending to you in a professional capacity without your written permission, except (i) in the case of your death or disability, with the written permission of your personal representative, a person with authority to sue on your behalf, or the beneficiary of an insurance policy on your life, health or physical condition; (ii) when a communication reveals that you intend to commit certain crimes or harmful acts; (iii) when you waive the privileged nature of communication by bringing public charges against the chaplain; or (iv) when the chaplain acquires the information during an elder abuse investigation.

NOTE: References in this Privacy Notice to health care professionals include only those professionals employed by the Community Cancer Center.

D. No Other Uses or Disclosures Without Your Written Authorization

The Community Cancer Center may not make any other uses and disclosures of your individually identifiable health information not described in this Notice without your written authorization. You may revoke your authorization at any time if you provide written notice to the Community Cancer Center. The Community Cancer Center must obtain your written authorization before disclosing your individually identifiable health information in the following situations:

- Where the Community Cancer Center would be receiving financial remuneration from another party for disclosing your individually identifiable health information for the purpose of marketing the third party's product or service to you.
- The sale of your individually identifiable health information.
- Most uses and disclosures of psychotherapy notes.

II. YOUR RIGHTS

Federal and state law protects your right to keep your individually identifiable health information private. You may request that you receive communications from the Community Cancer Center regarding individually identifiable health information by alternative means or at alternative locations. You must make your request for confidential communications in writing and must submit this request to the office listed below. The Community Cancer Center reserves the right to condition your request on the receipt of information regarding how you desire the Community Cancer Center to handle payment and/or on the availability of an alternative address or method of contact that you may request. You may request other restrictions on certain uses and disclosures of protected health information for purposes of treatment, payment, and health care operations; however, the law does not require the Community Cancer Center to agree to the requested restrictions unless the restriction request is a reasonable restriction on communication.

You generally have the right to inspect and obtain a copy of any individually identifiable health information in your medical record in the form and format in which you request it, including electronically if readily producible in the requested format within thirty (30) days of our receipt of your written request, unless extended by agreement to sixty (60) days, with the exception of psychotherapy notes, information compiled in anticipation of use in a civil, criminal, or administrative proceeding and certain other health information which the law restricts the Community Cancer Center from disseminating. However, if you are a patient of certain types of providers or facilities, you may have a right to access your patient records or information on an unqualified basis. Specifically, the following:

- *If you are a patient at a facility that performs mammograms*, you have the right to access your original mammograms and copies of your patient reports on an unqualified basis.
- *If you are a patient of a hospital*, you have the right to access your patient records on an unqualified basis, upon written request.
- *If you are a patient of a physician*, you have the right to access your medical data on an unqualified basis upon request.
- *If you are a resident of a skilled nursing facility*, you have the unqualified right to obtain from your physicians, or the physicians attached to the facility, complete and current information concerning your medical diagnosis, treatment and prognosis in terms and language that you can reasonably be expected to understand. You, and your guardian or representative or parent if you are a minor, also have the unqualified right to inspect and copy your medical records that the facility or your physician maintains.
- *If you are a recipient of mental health or developmental disabilities services* and if you are age 12 or older, you have an unqualified right to inspect and copy your records. The following persons also have this right: (i) your guardian if you are age 18 or older; (ii) an appointed agent under a power of attorney for health care which authorizes record access; (iii) your parent or guardian if you are under age 12; (iv) your parent or guardian if you are, at least, age 12 but under age 18 and if certain conditions are satisfied; and (v) a guardian ad litem representing you in any judicial or administrative proceeding if you are age 12 or older.
- You also have the right to amend your individually identifiable health information, unless the Community Cancer Center did not create such information or unless the Community Cancer Center determines that your medical record is accurate and complete in its existing form.

- You have the right to request and receive an accounting of disclosures of your individually identifiable health information that the Community Cancer Center has made in the three (3) years prior to the request date. Such an accounting may not include disclosures made to carry out treatment, payment or health care operations, to create an accurate patient directory or notify persons involved in your care, to ensure national security, to comply with the authorized requests of law enforcement, or to inform you of the content of your medical records.
- You have the right to request that the Community Cancer Center restrict disclosure of your individually identifiable health information to a health plan for the purpose of carrying out payment or health care operations, if not otherwise required by law, if the information pertains solely to a health care item or service for which you or someone on your behalf, other than the health plan, has paid the Community Cancer Center in full.
- You have the right to request that a copy of your individually identifiable health information be transmitted directly to another person designated by you as long as this request is made in writing, signed by you and clearly identifies the person to receive this information and where the copy is to be sent.
- You have the right to receive a notification in the event that the Community Cancer Center becomes aware that your unsecured individually identifiable health information has been impermissibly used or disclosed unless it has determined that there has been a low probability that the information has been compromised after conducting a risk assessment. If you would like more information on how to exercise these rights, please contact the Community Cancer Center's Privacy Officer at (309) 451-2285.

III. GRIEVANCES OR FURTHER INQUIRIES

If you believe that the Community Cancer Center has violated your privacy rights with respect to individually identifiable health information, you may file a complaint with the Community Cancer Center and the Department of Health and Human Services. To file a complaint with The Community Cancer Center, please contact the Community Cancer Center, Corporate Compliance Officer, at 309-451-2285. The Community Cancer Center will not retaliate against you for filing a complaint. You may also contact the above office for a copy of this Privacy Notice or for further information regarding its contents.

IV. AMENDMENTS

The Community Cancer Center reserves the right to amend the terms of this Privacy Notice at any time and to apply the revised Privacy Notice to all individually identifiable health information that it maintains. If the Community Cancer Center amends this Privacy Notice, you will be provided with a revised copy upon your request. The revised Privacy Notice will also be available on the Community Cancer Center web site, www.cancercenter.org and will be posted in registration area of Radiation Oncology in the Community Cancer Center.

The Community Cancer Center also reserves the right to amend policies and procedures, as necessary, regarding PHI that are designed to comply with the privacy rule

This Privacy Notice is effective April 1, 2013.

Administrative Shared/Notice of Privacy Practice jiv.3.25.13

THE COMMUNITY CANCER CENTER
Acknowledgment of Receipt of Notice of Privacy Practices

I certify that I have received or been offered a copy of Notice of Privacy Practices. The Notice of Privacy Practices describes the types of uses and disclosures of my protected health information that might occur in my treatment, payment of my bills or in the performance of the Community Cancer Center health care operations. The Notice of Privacy Practices also describes my rights and the Community Cancer Center's duties with respect to my protected health information. The Notice of Privacy Practices is posted at the registration desk in Radiation Oncology at the Community Cancer Center and on the website at (www.cancercenter.org).

The Community Cancer Center reserves the right to change the privacy practices that are described in the Notice of Privacy Practices. I may obtain a revised Notice of Privacy Practices by calling the office and requesting a revised copy be sent in the mail, asking for one at the time of my next appointment, or by accessing the Community Cancer Center website, www.cancercenter.org

In accordance with the Health Insurance Portability and Accountability Act (HIPAA) of 1996, I give my consent to the Community Cancer Center, to release healthcare information to the names listed below.

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

I give permission to download my Pharmacy Medication History for ePrescribing through my pharmacy.

(Name of Patient - Print)

(Patient Birthdate)

(Date)

(Signature of Patient or Personal Representative)

(Description of Personal Representative's Authority)

Declinations

- The individual declined to accept a copy of the Notice of Privacy Practices.
- The individual received a copy of the Notice of Privacy Practices but declined to sign an Acknowledgment of Receipt.

Signature of Community Cancer Center Representative

Name of Community Cancer Center Representative