

Revised Date: June 1, 2020

Original Effective Date: April 14, 2003

# Notice of Privacy Practices

- ArchCare at Carmel Richmond  
Healthcare and Rehabilitation Center
- ArchCare at Ferncliff Nursing Home
- ArchCare at Mary Manning Walsh Home
- ArchCare at San Vicente de Paúl  
Skilled Nursing and Rehabilitation Center
- ArchCare at Terence Cardinal Cooke  
Health Care Center
- ArchCare Advantage
- ArchCare Community Life
- ArchCare Senior Life
- ArchCare at Home

## **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.

### **About this Notice**

This Notice tells you about the ways we may use and disclose health information that identifies you (Health Information) It also describes your rights and the obligations we have regarding the use and disclosure of Health Information. We are required by law to maintain the privacy of your Health Information. We are also required to give you this Notice of our legal duties and privacy practices with respect to your Health Information and follow the terms of our Notice currently in effect. This Notice governs ArchCare and its affiliated nursing homes, their medical staffs, and other affiliated health care providers who jointly provide health care services with the nursing homes, and its affiliated managed care organizations. Together, ArchCare-sponsored Entities are designated as an affiliated covered entity.

### **How we may use and disclose health information about you:**

With your permission, or the permission of someone authorized to act on your behalf, we will provide Health Information to anyone you choose. **Even without your permission**, we have the right to use and disclose your Health Information in the following situations:

#### **I. TREATMENT, PAYMENT, & BUSINESS OPERATIONS**

##### **For Treatment:**

We may use Health Information or share it with others who are involved in taking care of you, and they may in turn use that information to diagnose or treat you. For example, a doctor at one of our nursing homes may share Health Information with another doctor inside the nursing home, or with a doctor at a hospital where you will receive treatment.

##### **For Payment:**

We may use Health Information or share it with others so that we may bill or pay for the medical treatment and the other services we provide or cover. For example, our nursing homes will share information about you with your health insurance company in order to obtain reimbursement.

##### **For Business Operations:**

We may use Health Information or share it with others in order to conduct our business operations. For example, we may use your health information to evaluate the performance of our staff in caring for you, or to educate our staff on how to improve the care they provide for you.

### **Fundraising Activities:**

We may use certain information about you to contact you in an effort to raise money to expand and improve the services and programs we provide the community. Any fundraising letter you receive from us will provide you with instructions on how to opt out of any future fundraising letters. You are free to opt out of fundraising solicitations and your decision will have no impact on your treatment or payment for services.

### **Business Associates:**

We may disclose Health Information to our business associates that perform functions on our behalf or provide us with service. For example, we may share Health Information with a billing company that helps us to obtain payment from your insurance company. If we do disclose Health Information to a business associate, we will require them to protect the privacy of your Health Information in the same way that we do. These business associates are also mandated under law to protect the privacy of your Health Information.

## **II. RESIDENT DIRECTORY & INDIVIDUALS INVOLVED IN YOUR CARE**

### **Individuals Involved in Your Care or Payment for Your Care:**

Unless you object, we may release Health Information to a person who is involved in your medical care or helps pay for your care, such as a family member or friend. We may also notify your family about your location or general condition or disclose such information to an entity assisting in a disaster relief effort.

### **Resident Directory:**

If you are in one of our nursing homes, we will include your name in a Resident Directory, if we have one. If you are unable to express your wishes when you first arrive at the nursing home, we will discuss your preferences with you as soon as you regain capacity.

## **III. PUBLIC NEED**

### **As Required by Law**

We will disclose Health Information when required to do so by law.

### **Public Health Activities:**

We may disclose Health Information for public health activities. These activities generally include, but are not limited to, disclosures to: report product defects or problems; prevent or control disease, injury or disability; report births or deaths; report reactions to medications or problems with products.

### **Victims of Abuse, Neglect, or Domestic Violence:**

We may release Health Information to the appropriate government authority if we believe that you have been a victim of abuse, neglect or domestic violence.

### **To Avert a Serious Threat to Health or Safety:**

We may use and disclose Health Information when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another

person. Any disclosure, however, will be to someone who may be able to assist in preventing the threat.

**Health Oversight Activities:**

We may release Health Information to a health oversight agency for audits or other activities a government undertakes to monitor the health care system and government programs.

**Lawsuits and Disputes:**

If you are involved in a lawsuit or a dispute, we may disclose Health Information in response to a court or administrative order. We may also disclose Health Information in response to a subpoena, discovery request, or other lawful process, 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 release Health Information to law enforcement officials for the following reasons: in response to a court order, or similar process; to identify a suspect, fugitive, material witness, or missing person; about the victim of a crime, if, under certain limited circumstances, we are unable to obtain the person's agreement; about a death we believe may be the result of criminal conduct; about criminal conduct on our premises; and 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.

**National Security and Intelligence Activities or Protective Services**

We may release Health Information to federal officials conducting national security intelligence activities or providing protective services to the President or other important officials.

**Armed Forces Members**

If you are a member of the Armed Forces, we may release Health Information as required by military command authorities. We may also release Health Information to an appropriate foreign military authority if you are a member of a foreign military.

**Inmates**

If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may release Health Information to the correctional institution or law enforcement if necessary to provide you with health care, to maintain safety and security of others, or safety and security of the correctional institution.

**Workers' Compensation**

We may disclose your health information for workers' compensation or similar programs that provide benefits for work-related injuries.

**Coroners, Medical Examiners and Funeral Directors**

We may disclose Health Information to a coroner, medical examiner or funeral director so that they can carry out their duties.

**Organ and Tissue Donation**

If you are an organ or tissue donor, we may release Health Information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary, to facilitate organ or tissue donation and transplantation.

**Research**

Under certain circumstances, we may use and disclose Health Information for research purposes. If we do so, however, the research project will go through a special approval process balancing the benefits of research with the need for privacy of Health Information. Even without special approval, we may permit researchers to look at records to help them identify patients who may be included in their research project or for similar purposes, so long as they do not remove or take a copy of any Health Information.

**Special Protections for HIV, Alcohol and Substance Abuse, Mental Health and Genetic Information**

Special privacy protections apply to HIV-related information, alcohol and substance abuse information, mental health information, and genetic information. Some parts of this general Notice of Privacy Practices may not apply to these types of information. You may contact the Privacy Officer for more information about these protections.

**Incidental Uses and Disclosures**

When we share or disclose Health Information in the situations described above, we may share or disclose Health Information incidental to that circumstance. For example, a physician may instruct a staff member to bill Medicare for a particular procedure and may be overheard by another resident. We make efforts to minimize these incidental disclosures.

**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. For example, we usually need your written permission to use or disclose Health Information contained in psychotherapy notes. We also need your written permission to use or disclose Health Information for marketing or to disclose Health Information in a manner that constitutes a sale of that Information. You may revoke your permission at any time by submitting a written request to our Privacy Officer, except to the extent that we already acted in reliance on your permission.

**Underwriting**

Our health plans are prohibited from using or disclosing your genetic information about you for underwriting purposes.

## **YOUR RIGHTS REGARDING HEALTH INFORMATION**

You have the following rights, within certain limits, regarding Health Information we maintain about you. If you have any questions about any of these rights, please contact the appropriate Privacy Officer at the end of this notice.

### **Right to be Notified of Breach**

You have a right to receive notifications of breaches of unsecured Health Information if the breach compromises the security and privacy of your Health Information

### **Right to Inspect and Copy**

You have the right to inspect and copy Health Information that may be used to make decisions about your care or payment for your care. We may charge you a fee for the costs of copying, mailing or other supplies associated with your request.

### **Right to Request Amendments**

If you feel that Health Information we have is incorrect or incomplete, you may ask us to amend the information. If you do so, you must tell us the reason for your request.

### **Right to an Accounting of Disclosures**

You have the right to request an “accounting of disclosures” of Health Information. This is a list of persons or organizations to whom we have disclosed your Health Information.

### **Right to Opt Out of Fundraising Communications**

You have the right to opt out of being contacted for any fundraising purpose.

### **Right to Pay Out-of-Pocket Privately**

You may pay privately for care without a bill being submitted to insurance, if you so request and pay for the services out of pocket in full.

### **Right to Request Restrictions**

You have the right to request a restriction or limitation on Health Information we use or disclose 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 who is involved in your care or the payment for your care, like a family member or friend. We are required to agree to your request not to disclose your Health Information to a health plan for payment or health care operations if the Health Information pertains solely to a health care item or service for which we have been paid in full. For other restrictions requests, we are not required to agree to your request. But if we do, we will comply with your request unless we terminate our agreement or the information is needed to provide you with emergency treatment.

### **Right to Request Confidential Communications**

You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. For example, you can ask that we only contact your personal representative at home instead of at work. We will accommodate reasonable requests.

### **Right to a Paper Copy of this Notice**

You have the right to a paper copy of this Notice. Contact the appropriate Privacy Officer at the end of this Notice.

### **How to Exercise Your Rights**

To exercise any the rights described in this Notice contact our Privacy Officer at the address listed at the end of this Notice.

### **Changes to this Notice**

We reserve the right to change our practices regarding Health Information and this Notice. The revised notice will apply to all of your health information. The effective date of the revised Notice will be noted on the top right corner of the first page and at the end of this Notice.

### **How to File a Complaint**

If you believe your privacy rights have been violated, you may file a complaint with us. Please contact the appropriate Privacy Officer if you wish to file a complaint with us. You may also file a complaint with the Secretary of the Department of Health and Human Services. No one will retaliate or take action against you for filing a complaint

### **ArchCare System Privacy Officer:**

Sarah Strum 646-633-4401

### **Carmel Richmond Privacy Officer:**

Mary Beth Francis 718-668-8501

### **Ferncliff Privacy Officer:**

Melissa Wayne 845-516-1663

### **Mary Manning Walsh Privacy Officer:**

Daisy Lope 212-628-2800

### **San Vicente de Paúl Privacy Officer:**

Maureen Boothby 917-645-9205

### **Terence Cardinal Cooke Privacy Officer:**

Richard Hulse 212-360-3650

### **ArchCare Advantage Privacy Officer:**

Elizabeth McCosker 917-484-9735

### **ArchCare Community Life Privacy Officer:**

Sheila Tagle 917-484-3049

### **ArchCare Senior Life Privacy Officer:**

Wendy Brizer-Maciol 646-289-7715

### **ArchCare at Home Privacy Officer:**

Regina Tancredi 914-810-2654

**Revised Date: 06/01/2020**