

Privacy Policy for Newton Family Physicians – April 20, 2009

Privacy and protection of personal information is an important principle to **Newton Family Physicians, PA**. We are committed to collecting, using and disclosing personal information responsibly and only to the extent necessary for the services we provide. We also try to be open and transparent as to how we handle personal information. This document describes our privacy policies.

WHAT IS PERSONAL INFORMATION?

Personal information is information about an identifiable individual. Personal information includes information that relates to: an individual's personal characteristics (ex: gender, age, home address, phone numbers, ethnic background, family status); health (ex: health history, health conditions, health services received by them). Personal information is different from business information (ex: an individual's business location and phone number). This is not protected by privacy legislation.

WHO WE ARE

Our organization, **Newton Family Physicians, PA**, includes at the time of writing five physicians and 2 nurse practitioners and twenty-two support staff. We use a number of agencies and consultants that may, in the course of their duties, have limited access to personal information we hold. These include computer consultants, cleaning agency, accountants, Credit Card Company, software vendor, attorney's, hospitals, other doctors offices, Electronic Claims Clearinghouse (insurance billing), and Financial Institutions. We restrict their access to any personal information we hold as much as reasonably possible. We also have their assurance that they follow appropriate privacy policies.

WE COLLECT PERSONAL INFORMATION: PRIMARY PURPOSES

About Patients

Like all Physician offices we collect and use and disclose personal information in order to serve our patients. For our patients, the primary purpose for collecting personal information is to provide treatment. For example, we collect information about a patient's health history, including family history, physical condition, and medication and life style choices. We also may collect financial information in order to file insurance claims on your behalf. We do this so we can provide the very best care available for the present condition. We also collect your information from other offices or facilities to assist in your treatment. We may also collect information in an emergency situation from your family members even if you are not able to give consent in order to treat you (ex: the patient is unconscious). All of this information is secured in the proper location in our office and is protected in our electronic health record as well as our practice management system where your financial information is stored.

About Members of the General Public

For members of the general public, our primary purpose for collecting personal information is to provide notice of special events (health fair) or to make them aware of **Newton Family Physicians'** services in general or for specific notifications (flu shot reminders). For example, we may collect work information and phone numbers, email addresses, and even emergency contact information. In the event that we may need to contact you on matters of urgent need.

On our website we only collect, with the exception of cookies, the personal information that you provide and only use that information for the purpose you gave it to us. Currently we do not diagnose or treat or correspond through the email system. We ask that you call or submit in writing any request for treatment other than a face to face encounter with a provider. Our cookies are only used to navigate our website and are not used to monitor you.

About Contract Staff, and Students

For people who are contracted to work for us (ex: contract labor employees), our primary purpose for collecting personal information is to ensure we can contact them in the future (new work assignments) and for necessary work related communication (sending payroll checks, year end tax receipts). Examples of the types of personal information that we collect are: Home address, home/cell telephone numbers. It is rare for us to collect such information without prior consent, but it might happen in the case of a health emergency (TB outbreak) or to investigate a possible breach of law (if theft were to incur in our clinic). If contract staff or students wish a letter of reference or an evaluation, we will collect information about their work related performance and provide a report as authorized by them.

WE COLLECT PERSONAL INFORMATION: RELATED AND SECONDARY PURPOSES

Like most organizations, we also collect, use and disclose information for purposes related to or secondary to our primary purposes. The most common examples of our related and secondary purposes are as follows:

To invoice patients for services that were not paid for at the time, to process credit card payments or to collect unpaid accounts.

To advise patients and others about special events or opportunities (health fair, vaccine supplies) that we have available.

Our office reviews patients and other files for the purpose of ensuring that we provide high quality services, including assessing the performance of our staff. In addition, external consultants (auditors, lawyers, practice consultants, voluntary accreditation programs) may on our behalf do audits and continuing quality improvement reviews of our office, including reviewing patient files and interviewing our staff.

Newton Family Physicians, PA is regulated by American Academy of Family Physicians, American Medical Association, American Academy of Nurse Practitioners.

We are audited for quality by the Centers for Medicare & Medicaid Services, Drug Enforcement Agency, various insurance agencies and our local hospital where we are on staff. External regulators have their own strict privacy policies (Financial institutions, Software vendors, Collection agency, etc). Also various insurance companies and pharmaceutical companies have their own privacy policies. All of the above entities have the right to review our charts and interview our staff as part of their mandates. In these circumstances, we may consult with professionals (ex: Lawyers, accountants) who will investigate a specific matter and report back to us.

The cost of some services are provided by the organization to our patients is paid for by third parties (ex: BCBS, Cigna, United Healthcare insurance companies). These third party payers often have your consent or legislative authority to direct us to collect and disclose to them certain information in order to demonstrate patient entitlement funding.

Patients or other individuals we deal with may have questions about our services after they have been received. We also provide ongoing services for many of our patients over an extended period for which previous records are helpful. We retain our patients information for a minimum of ten years after the last encounter, with the exception of minors in which we retain records for a minimum of ten years after the patients eighteenth birthday. (our regulatory College also requires that we retain our patient records).

If **Newton Family Physicians, PA** or its assets were to be sold, the purchaser would want to conduct a “due diligence” review of the offices records to ensure that it is a viable business that has been honestly portrayed to the purchaser. This due diligence may involve some review of our accounting and service files. The purchaser would not be able to reproduce or remove any personal information. Before being provided access to the files, the purchaser must provide a written promise to keep all personal information confidential.

You can choose not to be a part of some of these related or secondary purposes (ex: by declining to receive notice of special events or opportunities, by paying for your services in advance). We do not, however, have much choice about some of these related or secondary purposes. (ex: external regulation).

PROTECTING PERSONAL INFORMATION

We understand the importance of protecting personal information. For that reason, we have taken the following steps:

Paper information is either under supervision or secured in non patient access areas.

Electronic hardware is either under supervision or locked in a restricted area at all times. In addition, passwords, are used on the servers and by each user.

Paper information is transmitted through sealed , addressed envelopes by reputable companies.

Electronic information is transmitted through dedicated lines and has identifiers removed.

Staff are trained to collect, use and disclose personal information only as necessary to fulfill their duties and in accordance with our privacy policy.

External consultants and agencies with access to personal information must enter into privacy agreements with us.

RETENTION AND DESTRUCTION OF PERSONAL INFORMATION

We need to retain personal information for some time to ensure that we can answer any questions you might have about the services provided and for our own accountability to external regulatory bodies. However, we do not want to keep personal information too long in order to protect your privacy.

We keep our patient files for ten years after the last encounter and if a minor ten years after their eighteenth birthday. We keep all originals from our office and will transfer by your written authorization copies of your personal health information. We will also transfer upon proper written authorization any financial information that you request.

We destroy paper files or records that have been scanned into our electronic chart by shredding. We destroy electronic information by removal upon proper authorization and confirmation from the provider or the practice administrator. When a computer is retired we ensure that the hard drive is physically destroyed. We require that all copiers and fax machines be erased in our presence before getting rid of them.

YOU CAN LOOK AT YOUR INFORMATION

With only a few exceptions, you have the right to see what personal information we hold on you. Often all you have to do is ask. We can help you identify what records we might have about you. We will also try to help you understand any information you do not understand (acronyms, technical language, etc.). We will need to confirm your identity, if we do not know you, before providing you with this access. We reserve the right to charge a nominal fee for such requests.

If there is a problem we may ask you to put your request in writing. If we cannot give you access, we will tell you within 30 days if at all possible and tell you the reason, as best we can, as to why we cannot give you access.

If you believe there is a mistake in the information, you have the right to ask for it to be corrected. This applies to factual information and not to any professional opinions we may have formed. We may ask you to provide documentation that our files are wrong. Where we agree that we made a mistake, we will make the correction and notify anyone to whom we sent this

information. If we do not agree that we have made a mistake, we will still agree to include in our file a brief statement from you on the point and we will forward that statement to anyone else who received the earlier information.

DO YOU HAVE A QUESTION?

Our Information Officer, Melissa H. White, can be reached at:

767 West First Street, Newton, NC 28658

Phone: 828-465-3928

She will attempt to answer any questions or concerns you might have.

If you wish to make a formal complaint about our privacy practices, you may make it in writing to our Information Officer. She will acknowledge receipt of your complaint, ensure that it is investigated promptly and that you are provided with a formal written decision with reasons.

If you have a concern about the professionalism or competence of our services or the mental or physical capacity of any of our professional staff we would ask you discuss those concerns with us.

This policy is made under the Personal Information Protection and Electronic Documents Act. That is a complex Act and provides some additional exceptions to the privacy principles that are too detailed to set out here. There are some rare exceptions to the commitments set forth above.

For more general inquires, The Federal Trade Commission (FTC) and the Federal Register have detailed explanations of this Red Flag Rules guidelines for medical practices available. Also you may go to the North Carolina Government website to read about the North Carolina Identity Theft Act which is now in place.