

***Babies On The MOVE, LLC - Pediatric Physical Therapy***

**Notice of Privacy Practices**

This notice describes how medical information about your child may be used and disclosed and how you may have access to this information. If you have any questions about this Notice; please contact us directly. Contact information is listed at the end of this notice.

This Notice of Privacy Practices describes how we may use and disclose your child's protected health information to carry out treatment, payment or health care operations and for other purposes that are permitted or required by law. It also describes your rights to access and control this protected 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 or condition and related health care services.

We are required to abide by the terms of this Notice of Privacy Practices. We may change the terms of our notice, at any time. The new notice will be effective for all protected health information that we maintain at that time.

Upon your request, we will provide you with any revised Notice of Privacy Practices by emailing us and requesting that a revised copy be sent to you in the mail, via e-mail or asking for one at the time of your next appointment.

**Uses and Disclosures of Protected Health Information Based Upon Your Written Consent**

You will be asked by Babies On The MOVE, LLC to sign a consent form. Once you have consented to use and disclose protected health information for treatment, payment and health care operations, Babies On The MOVE, LLC and its representatives will use or disclose your child's protected health information as described in this notification. Protected health information may be used and disclosed by the physical therapist, our staff and others outside of our office that are involved in care and treatment for the purpose of providing health care services to your child.

Following are examples of the types of uses and disclosures of protected health care information that Babies On The MOVE, LLC and its representatives are permitted to make once you have signed our consent form. These examples are not meant to be exhaustive, but to describe the types of uses and disclosures that may be made by our office once you have provided consent.

**Treatment:** We will use and disclose protected health information to provide, coordinate, or manage your child's health care and any related services. For example, protected health information may be provided to a physician to whom your child has been referred to ensure that the physical therapist has the necessary information to diagnose or treat your child. In addition, we may disclose protected health information from time-to-time to another physician or health care provider who, at the request of your physical therapist, becomes involved in your child's care by providing assistance with your child's health care diagnosis or treatment to a physician.

**Payment:** Protected health information will be used, as needed, to fulfill your claim for reimbursement for health care services. This may include certain activities that your health insurance plan may undertake before it pays for the health care services we recommend for your child such as reviewing services provided to the child for medical necessity and undertaking utilization review activities.

**Healthcare Operations:** We may use or disclose, as-needed, protected health information in order to support the business activities of Babies On The MOVE, LLC. These activities include, but are not limited to, quality assessment activities, employee review activities, licensing, marketing, and conducting or arranging for other business activities. We may use or disclose protected health information, as necessary, to contact you to remind you of an appointment, cancellation or absence from an appointment.

**Uses and Disclosures of Protected Health Information Based upon Your Written Authorization:** Other uses and/or disclosure of protected health information will be made only with your written authorization, unless otherwise permitted or required by law as described below. You may revoke this authorization at any time, in writing, and it will no longer be active from the time it is received.

#### Authorization or Opportunity to Object

We may use and disclose protected health information in the following instances. You have the opportunity to agree or object to the use or disclosure of all or part of your child's protected health information. If you are not present or able to agree or object to the use or disclosure of the protected health information, then your physical therapist may, using professional judgment, determine whether the disclosure is in your child's best interest. In this case, only the protected health information that is relevant to your child's health care will be disclosed.

**Emergencies:** We may use or disclose protected health information in an emergency treatment situation. If this happens, your physical therapist shall try to obtain consent as soon as reasonably practicable after the delivery of treatment. If your physical therapist or another physical therapist in the practice is required by law to treat your child and the physical therapist has attempted to obtain consent but is unable to obtain consent, he or she may still use or disclose protected health information to treat your child.

**Communication Barriers:** We may use and disclose protected health information if your physical therapist or another physical therapist in the practice attempts to obtain consent from you but is unable to do so due to substantial communication barriers and the physical therapist determines, using professional judgment, that you intend to consent to use or disclose under the circumstances.

We may use or disclose protected health information in the following situations without your consent or authorization. These situations include:

**Required By Law:** We may use or disclose protected health information to the extent that the use or disclosure is required by law. The use or disclosure will be made in compliance with the law and will be limited to the relevant requirements of the law. You will be notified, as required by law, of any such uses or disclosures.

**Public Health:** We may disclose protected health information for public health activities and purposes to a public health authority that is permitted by law to collect or receive the information. The disclosure will be made for the purpose of controlling disease, injury or disability. We may also disclose protected health information, if directed by the public health authority, to a foreign government agency that is collaborating with the public health authority.

*Communicable Diseases:* We may disclose protected health information, if authorized by law, to a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading the disease or condition.

*Health Oversight:* We may disclose protected health information to a health oversight agency for activities authorized by law, such as audits, investigations, and inspections. Oversight agencies seeking this information include government agencies that oversee the health care system, government benefit programs, other government regulatory programs and civil rights laws.

*Abuse and Neglect:* We may disclose protected health information to a public health authority that is authorized by law to receive reports of child abuse or neglect. In addition, we may disclose protected health information if we believe that your child has been a victim of abuse, neglect or domestic violence to the government entity or agency authorized to receive such information. In this case, the disclosure will be made consistent with the requirements of applicable federal and state laws.

*Food and Drug Administration:* We may disclose protected health information to a person or company required by the Food and Drug Administration to report adverse events, product defects or problems, biologic product deviations, track products; to enable product recalls; to make repairs or replacements, or to conduct post marketing surveillance, as required.

*Legal Proceedings:* We may disclose protected health information in the course of any judicial or administrative proceeding, in response to an order of a court or administrative tribunal (to the extent such disclosure is expressly authorized), in certain conditions in response to a subpoena, discovery request or other lawful process.

*Law Enforcement:* We may also disclose protected health information, so long as applicable legal requirements are met, for law enforcement purposes. These law enforcement purposes include (1) legal processes and otherwise required by law, (2) limited information requests for identification and location purposes, (3) pertaining to victims of a crime, (4) suspicion that death has occurred as a result of criminal conduct, (5) in the event that a crime occurs on the premises of the practice, and (6) medical emergency (not on the Practice's premises) and it is likely that a crime has occurred.

*Criminal Activity:* Consistent with applicable federal and state laws, we may disclose protected health information, if we believe that the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public. We may also disclose protected health information if it is necessary for law enforcement authorities to identify or apprehend an individual.

## **YOUR RIGHTS**

Following is a statement of your child's rights with respect to protected health information and a brief description of how you may exercise these rights. You have the right to inspect and copy your child's protected health information. This means you may inspect and obtain a copy of protected health information about your child that is contained in a designated record set for as long as we maintain the protected health information. A "designated record set" contains medical and billing records and any other records that your physical therapist, referring physician, and Babies On The MOVE, LLC uses for making decisions about your child.

Under federal law, however, you may not inspect or copy the following records: information compiled in reasonable anticipation of, or use in, a civil, criminal, or administrative action or proceeding, and

protected health information that is subject to law that prohibits access to protected health information. Depending on the circumstances, a decision to deny access may be reviewable. In some circumstances, you may have a right to have this decision reviewed.

Please contact us if you have any questions about access to your child's medical record. You have the right to request a restriction of protected health information. This means you may ask us not to use or disclose any part of your child's protected health information for the purposes of treatment, payment or healthcare operations. You may also request that any part of your child's protected health information not be disclosed to family members or friends who may be involved in care or for notification purposes as described in this Notice of Privacy Practices. Your request must state the specific restriction requested and to whom you want the restriction to apply. Babies On The MOVE, LLC and its representatives is not required to agree to a restriction that you may request. If your physical therapist believes it is in your child's best interest to permit use and disclosure of protected health information, the protected health information will not be restricted. If Babies On The MOVE, LLC and its representatives do agree to the requested restriction, we may not use or disclose the protected health information in violation of that restriction unless it is needed to provide emergency treatment. With this in mind, please discuss any restriction you wish to request with your physical therapist and indicate this information on the Babies On The MOVE, LLC Consent For Use and Disclosure of Health Information form. You have the right to request to receive confidential communications from us by alternative means or at an alternative location. We will accommodate reasonable requests. We may also condition this accommodation by asking you for information as to how payment will be handled or specification of an alternative address or other method of contact. We will not request an explanation from you as to the basis for the request.

You may have the right to have Babies On The MOVE, LLC and its representatives amend your child's protected health information. This means you may request an amendment of protected health information about your child in a designated record set for as long as we maintain this information. In certain cases, we may deny your request for an amendment. If we deny your request for an amendment, you have the right to file a statement of disagreement with us and we may prepare a rebuttal to your statement and will provide you with a copy of any such rebuttal. Please contact us if you have any questions about amending your child's medical record.

You have the right to receive an accounting of certain disclosures we have made, if any, of your child's protected health information. This right applies to disclosures for purposes other than treatment, payment or healthcare operations as described in this Notice of Privacy Practices. It excludes disclosures we may have made to you, for a facility directory, to family members or friends involved in your child's care, or for notification purposes.

You have the right to receive specific information regarding these disclosures that occurred after January 1, 2017. You may request a shorter timeframe. The right to receive this information is subject to certain exceptions, restrictions and limitations.

You have the right to obtain a paper copy of this notice from us. If you received this notice on our website or via e-mail, you are still entitled to request a paper copy of this notice.

### **Complaints**

You may complain to us or to the Secretary of Health and Human Services if you believe your privacy rights have been violated by us. You may file a complaint with us as well. All complaints shall be investigated without retaliation or repercussion to you.

This notice was published and became effective on January 1, 2017.