

Notice of Privacy Practices

En Español: Aviso de Practicas de Privacidad de TMC Health: www.tmcaz.com

This notice describes:

- How medical information about you may be used and disclosed,
- Your rights with respect to your medical information,
- How to exercise your right to get copies of your records at limited cost or, in some cases, free of charge, and
- How to file a complaint concerning a violation of the privacy or security of your medical information or of your rights concerning your information, including your right to inspect or get copies of your records under HIPAA.

You have a right to a copy of this notice (in paper or electronic form) and to discuss it with the onsite TMC Compliance Officer at (520) 324-1962 or at Tim.Esau@tmcaz.com if you have any questions. Please review this notice carefully.

The Health Insurance Portability and Accountability Act (HIPAA) establishes national standards to protect individuals' medical records and other personal health information. It gives patients some control over certain parts of their health information and requires organizations such as TMC Health and its affiliates Tucson Medical Center, including all inpatient and outpatient departments, Peppi's House – TMC Hospice, TMC Integrative Pain Clinic, and TMC Wound Care Center; TMC Medical Network and TMCOne, including all ambulatory primary and specialty care clinics, TMC Urgent Care – Rincon, and TMC Urgent Care – Wyatt; Benson Hospital, including Benson Hospital Rehabilitation, Benson Family Health Care Clinic, Benson San Pedro Clinic, and Vail Valley Family HealthCare; Northern Cochise Community Hospital, including Sulphur Springs Medical Center and Sunsites Medical Clinic (collectively referred to as TMC Health) to implement certain safeguards and practices to keep each patient's Protected Health Information (PHI) safe.

TMC Health is required by law to maintain the privacy of PHI, which includes any information that is created or received by TMC Health that relates to the health or condition of an individual, the provision of health care to an individual, or payment for the provision of health care to an individual, and either identifies the individual or is reasonably believed to provide information that can be used to identify the individual. As a patient of TMC Health, you have several rights under HIPAA.

TMC Health's Notice of Privacy Practices describes how TMC Health uses and discloses your PHI. This notice also describes the rights you have concerning your PHI. This Notice applies to employees, physicians, volunteers, trainees, and other persons whose conduct is under the direct control of TMC Health, whether or not the person is paid by TMC Health.

If you have any questions about TMC Health's Notice of Privacy Practices or your privacy rights under HIPAA, please feel welcome to contact the TMC Compliance Officer at (520) 324-1962 or speak directly with one of your healthcare team members.

How TMC Health Uses and Discloses Your PHI

Patient Census: While you are hospitalized at a TMC Health location, TMC Health may include your name, location in the facility, general description of your condition, and religious affiliation, if offered, in a patient directory or census database. You have the right to not be included in such a directory, in which case your information will not be disclosed to any callers or visitors. By default, unless you opt out as noted, you will be included in the census and TMC Health will disclose your location and general condition to anyone who calls or visits. Your religious affiliation, if offered, will only be provided to members of our chaplaincy staff.

Family Members and Others Involved in Your Care: TMC Health may disclose your PHI that is directly relevant to a family member or friend who is involved in your medical care or payment for your medical care. TMC Health may also disclose your PHI to disaster relief organizations during times of disaster to aid in establishing the location of you, your friends, or your family members. If you do not want TMC Health to disclose your PHI to family members, friends, or others who are involved in your care, please inform one of your healthcare team members.

Treatment: TMC Health may use and disclose your PHI to provide, coordinate, or manage your health care and related services with healthcare providers. This can include doctors, nurses, therapists, clinical students, and other professionals involved in your care. TMC Health may also disclose PHI regarding your care to your primary or specialty care providers, or other providers and entities who participate in post-discharge care, to assist with your treatment and follow-up care. This includes exchange of PHI through the Health Information Exchange, unless you choose to opt-out. TMC Health may also use and disclose your PHI to contact you regarding upcoming appointments, to inform you about possible treatment options or alternatives, or to tell you about health-related services available to you.

Payment: TMC Health may use and disclose your PHI to obtain payment or be reimbursed for provided services (both from the hospital facility as well as the providers treating you, whether or not they are employed by TMC Health), including disclosures to health plans and health insurance companies.

Operations: TMC Health may use and disclose your PHI to improve the quality of care provided to its patients and to conduct its business management and general administrative activities. Such activities may include internal and external audits, quality assessments, and medical reviews.

Research: TMC Health may disclose your PHI for research purposes only in accordance with your written authorization except when otherwise authorized by law.

Required by Law: TMC Health shall disclose your PHI as required by a federal or state statute, regulation, or court opinion, including mandatory reporting obligations. Such reporting includes information about suspected abuse, abandonment, neglect, exploitation, domestic violence, and workers' compensation program services.

TMC Health shall disclose PHI to the United States Department of Health and Human Services (HHS), including the Centers for Medicare and Medicaid Services (CMS) and the Office for Civil Rights (OCR), when HHS requests access to PHI for the purposes of investigating TMC Health's compliance with the HIPAA Privacy Rule or when self-reporting is required by law.

TMC Health shall disclose PHI to the Arizona Department of Health Services, the Arizona Medical Board, and the Arizona Board of Nursing when such agencies request PHI for the purposes of investigating TMC Health's compliance with state and federal laws or when self-reporting is required by law.

Public Health: TMC Health may disclose your PHI to a public health authority for the purpose of preventing or controlling disease, injury, or disability. Such reporting may include births, deaths, suspected overdose events, medication and medical product adverse events, and product recall information. Pursuant to state law, reporting of certain communicable diseases is mandatory.

Public Safety: When TMC Health has a good faith belief that disclosing your PHI will prevent or lessen a serious and imminent threat to the health or safety of a person or the public, TMC Health may disclose your PHI to a person or entity reasonably equipped to lessen or prevent such threat.

Law Enforcement: TMC Health may disclose a limited amount of PHI to law enforcement officials for specific purposes related to identifying or locating a suspect, fugitive, material witness, or missing person.

Coroners, Medical Examiners and Funeral Directors: TMC Health may disclose PHI concerning deceased patients to coroners, medical examiners, and funeral directors for the purposes of identifying a deceased patient, determining a cause of death, or for other purposes related to coroner, medical examiner, or funeral director duties.

Organ and Tissue Donation: TMC Health may use and disclose PHI as necessary for organ, eye, or tissue donation, procurement, processing, distributing, or using a human body or body parts for use in medical education, therapy, or transplantation.

Military, Veterans, National Security and Other Government Purposes: TMC Health may disclose the PHI of a member of the United States Armed Forces to a United States Armed Forces official upon written request. TMC Health may disclose PHI to a federal official representing the interests of a federal agency for the purposes of conducting intelligence, counter-intelligence, and other national security activities upon written request.

Judicial Proceedings: TMC Health may disclose PHI necessary to comply with a court order or court-ordered warrant, a subpoena or summons issued by a judicial officer, or a grand jury subpoena, provided the court has appropriate jurisdiction over TMC Health. As allowed by law, TMC Health will make reasonable efforts to notify you about the request so you have a chance to object to the disclosure.

Fundraising: TMC Health may use limited PHI to conduct fundraising activities provided you have not opted out of receiving fundraising solicitations and communications.

Information with Additional Protection: Certain types of medical information have additional protection under state or federal law. For instance, medical information about certain communicable diseases (for example HIV testing and HIV related care), drug and alcohol abuse treatment, genetic testing, and court-ordered mental evaluation is treated differently than other types of medical information. For those types of information, TMC Health is required to get your permission before disclosing that information to others in most circumstances.

Other Uses and Disclosures: TMC Health will obtain your authorization to use or disclose your PHI in the following circumstances: (1) disclosures for certain types of mental health records or substance abuse records, (2) certain types of disclosures containing certain communicable disease information, including HIV related information, (3) disclosures containing information related to genetic testing, or (4) disclosures for marketing purposes.

If you give your authorization to TMC Health for a certain type of disclosure, you may end that authorization at any time unless TMC Health has already relied on your authorization to use or disclose the information. If you would like to revoke your authorization, please submit the request in writing to the TMC Health Information Management Department at Tucson Medical Center, 5301 E. Grant Rd, Tucson, AZ 85712.

Privacy Breach Notification: In accordance with Breach Notification for Unsecured Protected Health Information requirements, as outlined in the Health Information Technology for Economic and Clinical Health (HITECH) Act, TMC Health is required by law to provide notification to affected individuals or their representatives and to the OCR for HHS following the discovery of a breach of unsecured PHI.

Your Rights

Right to Receive a Notice of Privacy Practices: You may download a copy of the current TMC Health Notice of Privacy Practices from TMC Health's website at www.tmc.az.com or you may obtain a paper copy of the current TMC Health Notice of Privacy Practices at any TMC Health facility.

Right to Access PHI: You have the right of access to inspect and obtain a copy of protected health information at limited cost or, in some cases, free of charge, and the right to direct a covered health care provider to transmit an electronic copy of protected health information in an electronic health record to a third party, as provided by 45 CFR § 164.524 *Access of Individuals to Protected Health Information*.

TMC Health may deny your request to access or obtain a copy of your PHI in very limited circumstances. If TMC Health denies your request for access, or to obtain a copy of your PHI, you have the right to file a request to have the denial reviewed. Another health care professional, designated by TMC Health, will review your request and denial. The health care professional conducting the review will not be the same health care provider who denied your request. TMC Health will fully comply with the outcome of the review.

Right to Request Amendment of PHI: You have the right to request an amendment or correction of your PHI maintained by TMC Health if you feel that the information is incomplete or inaccurate. You also have the right to have this request and any decision related to this request included in your record, if you so choose. TMC Health must review your request and respond to your request in writing. If you disagree with TMC Health's decision, you have the right to appeal the decision.

Right to Request Restriction of Use and Disclosure of PHI: You have the right to request that TMC Health restrict the use and disclosure of your PHI maintained by TMC Health. Such a request must be made in writing. While TMC Health will make efforts to accommodate such requests, granting such restrictions is not always possible. Upon request, TMC Health will restrict the information disclosed to your health plan if you have already fully paid for the service.

Right to Accounting of Disclosures: You have the right to receive an accounting of certain disclosures of PHI by TMC Health and its business associates. Such a request must be made in writing. This accounting of disclosures will not include disclosures made for treatment, payment or other healthcare operation purposes. TMC Health will provide one accounting of disclosures to you each year at no charge but may charge for additional copies.

Right to Receive Confidential Communications by Alternative Means: You have the right to designate a specific means by which you will receive confidential communications from TMC Health. This may include specifying

a single address or phone number where TMC Health may send information about your health care, payment for your health care and related service information.

Changes to This Notice

TMC Health may change practices concerning the use or disclosure of PHI or implementation of patient rights. TMC Health reserves the right to change this Notice and to make the revisions effective for all PHI maintained. If TMC Health changes this Notice, the revised TMC Health Notice of Privacy Practices will be posted on TMC Health's website, www.tmc.az.com, and at all TMC Health facilities.

Any revisions of the TMC Health Notice of Privacy Practices by patients or their representatives, including but not limited to strikeouts, insertions, and deletions, shall not be permitted, and TMC Health may refuse to provide treatment under such circumstances.

Contact Information

TMC Health is required by law to provide this Notice to you and to follow terms of the Notice that is currently in effect.

If you have concerns about this Notice or need clarification regarding this Notice or any other aspect of your TMC Health care, please notify your healthcare providers or other healthcare team members. If you are not comfortable discussing your concerns with your healthcare providers or other healthcare team members, please request to speak with a Manager or Director. You may also contact the TMC Compliance & Privacy Officer at (520) 324-1962.

TMC Health honors a patient's right to file a complaint or grievance, as well as the patient's right to a prompt resolution of complaints and grievances. The Patient Relations Department is available to assist you with concerns related to your TMC Health care. You have the right to report a complaint or grievance to the Patient Relations Department. The Patient Relations Department can be reached at (520) 324-2836 or through the hospital operator at Tucson Medical Center.

TMC Health acknowledges a patient's right to file a complaint with the Arizona Department of Health Services Bureau Chief, 150 N. 18th Ave., #450, Phoenix, Arizona, 85007, phone: (602) 364-3030, or with the federal government via the Office for Civil Rights, Centralized Case Management Operations, U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Room 509F HHH Bldg., Washington, D.C., 20201, in addition to, or instead of, contacting TMC Health directly. Patients may also contact The Joint Commission at www.jointcommission.org; or by mail to The Office of Quality and Patient Safety (OQPS), The Joint Commission, One Renaissance Boulevard, Oakbrook Terrace, Illinois 60181 for hospital related complaints.

TMC Health shall not retaliate against you or your representatives for filing a complaint or grievance with TMC Health or any other agency. Additionally, your care will not be affected by the filing of a complaint or grievance with TMC Health or any other agency.

All State inspection reports for TMC Health locations can be requested in Administration at Tucson Medical Center or from management at the site location.

Si usted desea una copia de esta información en español, por favor solicite una copia a un miembro del equipo de Admisión o de la recepción de registro. Si tiene preguntas o dudas acerca de esta información que le gustaría comentar en español, solicite los servicios de interpretación a su proveedor de salud o de otros miembros del equipo de atención médica.

Effective Date: February 1, 2023