



HIPAA/NOTICE OF PRIVACY RIGHTS AND PRACTICES:

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND /OR DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

Agape Healthcare (AH) may use your health information, information that constitutes protected health information as defined in the Privacy Rule of the Administrative Simplification provisions of the Health Insurance Portability and Accounting Act of 1996, for purposes of providing you treatment, obtaining payment for your care, and conducting health care operations. AH has established a policy to guard against unnecessary disclosure of your health information.

The following is a summary of the circumstances under which and purposes for which your health information may be used and disclosed:

- **For treatment** – AH may use your health information to coordinate care within AH and with others involved in your care, such as your attending physician, members of the interdisciplinary team and other health care professionals who have agreed to assist us in coordinating your care. For example, physicians involved in your care will need information about your symptoms in order to prescribe appropriate medications. AH also may disclose your healthcare information to individuals outside of AH involved in your care including family members, clergy who you designated, pharmacists, suppliers of medical equipment, or other healthcare professionals.
- **To obtain payment** – AH may include your health information in invoices to collect payment from third parties for the care you receive from AH. For example, AH may be required by your health insurer to provide information regarding your healthcare status so that the insurer will reimburse you or AH. AH also may need to obtain prior approval from your insurer and may need to explain to the insurer your need for hospice/palliative care and the services that will be provided to you.
- **To conduct healthcare operations** - AH may use and disclose healthcare information for its own operation in order to facilitate the functions of AH and as necessary to provide quality care to all of AH's patients. Healthcare operations include such as:
 - Quality Assessment and Performance Improvement (QAPI) activities
 - Activities designed to improve health or reduce healthcare costs
 - Contacting healthcare providers and patients with information about treatment alternatives and other related functions that do not include treatment
 - Protocol development, case management and care coordination
 - Professional review and evaluation
 - Training of non-healthcare professionals
 - Training programs, including those in which students, trainees or practitioners in health care learn under supervision
 - Review and auditing, including compliance reviews, medical reviews, legal services and compliance programs
 - Business planning and development including cost management and planning related analyses and formulary development
 - Business management and general administrative activities of AH
 - Accreditation, certification, licensing or credentialing activities
 - Fundraising for the benefit of the Agape Hospice Foundation

For example AH may use your health information to evaluate its staff performance, combine your health information with other AH patients in evaluating how to more effectively serve all AH patients, disclose your health information to AH staff and contracted personnel for training purposes, use your health information to contact you as a reminder regarding a visit to you, or contact you as part of general fundraising and community mailings.



- **For fundraising activities** – AH may use information about you including your name, address, phone number and the dates you received care in order to contact you or your family to raise money for The Agape Hospice Foundation. AH may only release this information to the Agape Hospice Foundation. You have the right to opt out of fundraising communications. If you do not want Agape Hospice Foundation staff to contact you or your family, please notify the AH Privacy Officer at 720-482-1988
- **For bereavement services** – AH offers grief support, educational programs and commemorative services. These services are available to family members of hospice patients. AH may use information about you including your name, address, phone numbers and dates you received care in order to contact your family member to inform them of these services.
- **For appointment reminders** – AH may use and disclose your health information to contact you as a reminder that you have an appointment for a home visit.
- **For treatment alternatives** – AH may use and disclose your health information to tell you about or recommend possible treatment options or alternatives that may be of interest to you.

THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER WHICH AND PURPOSES FOR WHICH YOUR HEALTH INFORMATION MAY BE USED OR DISCLOSED:

- **When legally required** – AH will disclose your health information when it is required to do so by any Federal, State or local law.
- **When no longer a patient** – If requested by a healthcare entity actively providing care for you, AH will disclose your health information to the healthcare entity.
- **To report abuse, neglect or domestic violence** – AH is obligated to notify government authorities if AH believes a patient is the victim of abuse or domestic violence. AH will make this disclosure only when specifically required or authorized by law or when the client wishes to initiate such a disclosure. If AH believes that your life is in danger, we will contact necessary agencies.
- **To conduct health oversight activities** – AH may disclose your health information to an oversight agency for activities including audits, civil administrative or criminal investigations, inspections, licensure or disciplinary action. However, AH may not disclose your health information if you are the subject of an investigation and your health information is not directly related to your receipt of health care or public benefits.
- **In connection with judicial and administrative proceedings** - AH may disclose your health information in the course of any judicial or administrative proceeding in response to an order of a court like a subpoena, warrant or summons or administrative tribunal as expressly authorized by such order or in response to a subpoena, discovery request or other lawful process, but only when AH makes reasonable efforts to either notify you about the request or to obtain an order protecting your health information.
- **To Coroners and Medical Examiners** – AH may disclose your health information to coroners and medical examiners for purposes of determining your cause of death or for other duties as authorized by the law.
- **To Funeral Directors** – AH may disclose your health information to funeral directors consistent with applicable law and, if necessary, to carry out their duties with respect to your funeral arrangements. If necessary, to carry out our duties we may disclose your health information prior to and in reasonable anticipation of your death.
- **For Organ, Eye, Tissue donation** – AH may use or disclose your health information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs, eyes, tissue for the purpose of facilitating the donation and or transplantation.
- **For Law Enforcement Purposes** – As permitted or required by State law, AH may disclose your health information to a law enforcement official for certain purposes as follows:
 - As required by law for reporting of certain types of wounds or other physical injuries pursuant to the court order, warrant, subpoena or summons or similar process
 - For the purpose of identifying or locating a suspect, fugitive, material witness or missing person.
 - Under certain limited circumstances, when you are the victim of a crime.



- To a law enforcement official if we have suspicion that your death was a result of criminal conduct including conduct at AH.
- In an emergency in order to report a crime
- **In the event of a serious threat to health or safety** – AH may, consistent with applicable law and ethical standards of conduct, disclose your health information if AH, in good faith, believe that such disclosure is necessary to prevent or lessen a serious and imminent threat to your health or safety or to the health and safety of the public.
- **For Worker's Compensation** – AH may release your health information for worker's compensation or similar programs.
- **For specific government functions** – In certain circumstances, the federal regulations authorize AH to use or disclose your health information to facilitate specified government functions relating to military and veterans, national security and intelligence activities, protective services for the President and others, medical suitability determinations and inmates and law enforcement custody.
- **For research purposes** – AH may, under very select circumstances, use your health information for research. Before AH discloses your health information for such research purposes, the project will be subject to an extensive approval process.
- **When there is a public health risk** – AH may disclose your health information for public activities and purposes in order to:
 - Prevent or control disease, injury or disability, report disease, injury, vital events such as birth or death and the conduct of public health surveillance, investigations and interventions.
 - Report adverse events, product defects, track products or to enable product recalls, repairs and replacements; to conduct post-marketing surveillance and compliance with requirements of the Food and Drug Administration.
 - Notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease.
 - Notify an employer about an individual who is a member of the workforce as legally required.

AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION

Other than what is stated above, Agape Healthcare will not disclose your health information without your written authorization. Also, the use and disclosure of your psychotherapy notes, protected health information for marketing purposes and the sale of your protected health information require your authorization. Other uses and disclosures not described in this notice will be made only with your authorization. If you or your representative authorize AH to use or disclose your health information, you may revoke that authorization in writing at any time. To revoke authorization, contact the AH Privacy Officer at 720-482-1988.

YOUR RIGHTS WITH RESPECT TO YOUR HEALTH INFORMATION

You have certain rights regarding the health information Agape Healthcare has about you. **You have a right to:**

- **Request restrictions on certain uses/disclosure of your healthcare information:** You may request restrictions on certain uses and disclosures of your health information. You have the right to request a limit on AH disclosure of your health information to someone who is involved in your care or the payment of your care. However, AH is not required to agree to your request. If you wish to make a request for restrictions, please contact the Privacy Officer at 720-482-1988.
- **Receive confidential communication:** You have the right to request that AH communicate with you in a certain way. For example, you may ask that the agency only conduct communications pertaining to your health information with you privately with no other family members present. If you wish to receive confidential communications, please contact the Privacy Officer at 720-482-1988. AH will not request you



provide any reasons for your request and will attempt to honor your reasonable requests for confidential communications.

- **Right to inspect and copy your health information:** You have the right to inspect and copy your health information, including billing records. A request to inspect and copy records containing your health information may be made to the AH Privacy Officer at 720-482-1988. If you request a copy of your health information, AH may charge a reasonable fee for copying and assembling costs associated with your request.
- **Right to an accounting:** Except for disclosures made to provide treatment, obtain payment, or to conduct health operations, you or your representative have the right to request an accounting of disclosures of your health information made by AH for certain reasons, including reasons related to public purposes authorized by law and certain research. The request should specify the time period for the accounting starting on or after April 14, 2003. Accounting request may not be made for periods of time in excess of ten years. AH would provide the first accounting you request during any 12-month period without charge. Subsequent accounting requests may be subject to a reasonable cost-based fee. The request for an accounting must be made in writing to:

**Privacy Officer
Agape Healthcare
6041 S. Syracuse Way, Suite 220
Greenwood Village, CO 80111**

- **Make an amendment of your healthcare information:** You or your representative have the right to request that AH amend PHI records if you believe that your health information is incorrect or incomplete. This request may be made as long as the information is maintained by Agape Healthcare. AH may deny the request if it is not in writing or does not include a reason for the amendment. The request may be denied if your health information records were not created by Agape Healthcare, if the records you are requesting are not part of AH records, if the health information you wish to amend is not part of the healthcare information you or your representative are permitted to inspect and copy, or if in the opinion of AH the records containing your health information are accurate and complete. A request for an amendment of records may be made in writing to:
**Agape Healthcare
6041 S. Syracuse Way, Suite 220
Greenwood Village, CO 80111**
- **Make a complaint:** If you believe your rights have been violated, you may file a written complaint with AH or with the Secretary of the Department of Health and Human Services. You will not be penalized or retaliated against for filing a complaint.
- **Breach Notification:** If your protected health information is compromised due to unauthorized acquisition, access, use or disclosure, AH will notify you of the event and severity of the information breach.
- **Right to receive a paper copy of this notice:** **You or your representative has the right to a separate paper copy of this Notice at any time, even if you or your representative has received this Notice previously. To obtain a separate paper copy, please contact the AH Privacy Officer at 720-482-1988.**



DUTIES OF AGAPE HEALTHCARE

Agape Healthcare is required by law to maintain the privacy of your health information and to provide to you and your representative this Notice of its duties and privacy practices. AH is required to abide by the terms of this Notice as may be amended from time to time. AH reserves the right to change the terms of its Notice and to make the new Notice provisions effective for all health information that it maintains. If AH changes its Notice, AH will make the revised Notice Available. You or your representative has the right to express complaints to AH and to the Secretary of Department of Health and Human Services (DHHS) if you or your representative believes that your privacy rights have been violated. AH encourages you to express any concerns you may have regarding the privacy of your information. You will not be retaliated against in any way for filing a complaint. Any complaints to AH should be made in writing to:

Privacy Officer
Agape Healthcare
6041 S. Syracuse Way, Suite 220
Greenwood Village CO 80111

CONTACT PERSON

AH has a designated Privacy Officer as its contact person for all issues or questions regarding this Notice, patient privacy, and your rights under the federal privacy standards. You may contact the Privacy Officer by calling 720-482-1988 or writing to:

Privacy Officer
Agape Healthcare
6041 S. Syracuse Way, Suite 220
Greenwood Village CO 80111

Notice of Privacy Practices Effective Date
Original Notice is effective April 14, 2003
Revised Notice is effective January 1, 2020