



AIR FORCE VILLAGE WEST, INC.

NOTICE OF PRIVACY PRACTICES FOR PROTECTED HEALTH INFORMATION

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.

I. INTRODUCTION

During the course of providing services and care to you, Air Force Village West, Inc. (“AFVW”) gathers, creates, and retains certain personal information about you that identifies who you are and relates to your past, present, or future physical or mental condition, the provision of health care to you, and payment for your health care services. This personal information is characterized as your “protected health information.” This Notice of Privacy Practices describes how AFVW maintains the confidentiality of your protected health information, and informs you about the possible uses and disclosures of such information. It also informs you about your rights with respect to your protected health information.

II. AFVW’S RESPONSIBILITIES

AFVW is required by federal and state law to maintain the privacy of your protected health information. AFVW is also required by law to provide you with this Notice of Privacy Practices that describes AFVW’s legal duties and privacy practices with respect to your protected health information. AFVW will abide by the terms of this Notice of Privacy Practices. AFVW reserves the right to change this or any future Notice of Privacy Practices and to make the new notice provisions effective for all protected health information that it maintains, including protected health information already in its possession. The notice will be made available to you upon request. In addition, the notice will be posted in a clear and prominent place in the facility and on the AFVW website.

III. USE AND DISCLOSURE WITH YOUR AUTHORIZATION

AFVW will require a written authorization from you before it uses or discloses your protected health information, unless a particular use or disclosure is expressly permitted or required by law without your authorization. AFVW has prepared an authorization form for you to use that authorizes AFVW to use or disclose your protected health information for the purposes set forth in the form. You are not required to sign the form as a condition of obtaining treatment or having your care paid for. If you sign an authorization, you may revoke it at any time by written notice. AFVW then will not use or disclose your protected health information, except where it has already relied on your authorization.

IV. HOW AFVW MAY USE AND DISCLOSE YOUR PROTECTED HEALTH INFORMATION WITHOUT YOUR AUTHORIZATION

A. Permissive Disclosures

AFVW may, in its discretion, use or disclose your protected health information without your written authorization in the following circumstances:

1. Your Care and Treatment

AFVW may use or disclose your protected health information to provide you with or assist in your treatment, care and services. For example, AFVW may disclose your health information to health care providers who are involved in your care to assist them in your diagnosis and treatment, as necessary. AFVW may also disclose your protected health information to individuals who will be involved in your care if you leave Air Force Village West.

2. Billing and Payment

a. **Medicare and Other Public or Private Health Insurers** – AFVW may use or disclose your protected health information to public or private health insurers (including medical insurance carriers, HMOs, and Medicare) in order to bill and receive payment for your treatment and services that you receive at AFVW. The information on or accompanying a bill may include information that identifies you, as well as your diagnosis, procedures, and supplies used.

b. **Health Care Providers** – AFVW may also disclose your protected health information to health care providers in order to allow them to determine if they are owed any reimbursement for care that they have furnished to you and, if so, how much is owed.

3. Health Care Operations

AFVW may use your protected health information for health care operations at AFVW. These uses and disclosures are necessary to manage AFVW and to monitor our quality of services and care. For example, we may use your protected health information to review our services and to evaluate the performance of our staff in caring for you.

4. Hospital Peer Review

AFVW may disclose your protected health information to hospital medical staffs to aid in the credentialing of applicants and in the peer review of members.

5. Licensing and Accreditation

AFVW may disclose your protected health information to any government or private agency, such as to the California Department of Health Services and the California Department of Social Services, responsible for licensing or accrediting AFVW so that the agency can carry out its oversight activities. These oversight activities include audits; civil, administrative, or criminal investigations; inspections; licensure or disciplinary actions; civil, administrative, or criminal proceedings or actions; or other activities necessary for appropriate oversight.

6. Disclosures of Basic Information about Residents
AFVW allows staff to provide certain basic information about you to persons who ask for you by name and to members of the clergy. Unless you notify AFVW that you object, we may disclose your name, your location at AFVW, and your general condition to anyone who asks for you by name. We may disclose your name, your location at AFVW, your general condition, and your religious affiliation to members of the clergy.
7. Disclosures within AFVW Community
In order to assist the community to support and celebrate your participation in the AFVW community, we may disclose certain general information about you such as your past activities, present interests (e.g., hobbies), milestones in your life (e.g., birthdays and anniversaries), and whereabouts if away from the village to other residents and staff.

If you object to the disclosure of the above-mentioned information, you may submit a written request to AFVW to that effect.
8. Individuals Involved in Your Care or Payment for Your Care
Unless you specifically object, AFVW may disclose to a family member, other relative, a close personal friend, or to any other person identified by you, all protected health information directly relevant to such person's involvement with your care or directly relevant to payment related to your care. AFVW may also disclose your protected health information to these same individuals to assist in notifying them of your location, general condition, or death.
9. Emergencies:
We may use or disclose your protected health information in an emergency treatment situation. If AFVW or another facility is required by law to treat you, AFVW may use and/or disclose your protected health information to treat you.
10. Disaster Relief
AFVW may disclose your protected health information to a public or private entity authorized to assist in disaster relief efforts.
11. Business Associates
AFVW may contract with certain individuals or entities to provide services on its behalf. Examples include data processing, quality assurance, legal, or accounting services. AFVW may disclose your protected health information to a business associate, as necessary, to allow the business associate to perform its functions on AFVW's behalf. AFVW will have a contract with its business associates that obligate the business associates to maintain the confidentiality of your protected health information.

12. Fundraising

AFVW may use certain protected health information to contact you in an effort to raise money for AFVW and its operations. AFVW may disclose the protected health information to business associates or to related foundations that it uses to raise funds for its own benefit. AFVW will disclose only your name, address, and phone number and the dates you receive health care services. You may notify AFVW in writing if you object to such disclosures.

13. Research

AFVW may disclose your protected health information for research purposes, provided that an outside Institutional Review Board overseeing the research approves the disclosure of the information without a written authorization.

14. Organ Procurement

If you are an organ donor, AFVW may disclose your protected health information following your death to an organ procurement agency or tissue bank in order to aid in using your organs or tissues in transplantation.

15. Medical Examiner or Funeral Directors

AFVW may disclose protected health information to a medical examiner or funeral director to allow them to carry out their duties.

16. Appointment Reminders

AFVW may use or disclose your protected health information to remind you about appointments.

17. Treatment Alternatives or Health-Related Benefits and Services

AFVW may use or disclose your protected health information to inform you about treatment alternatives or health-related benefits and services that may be of interest to you.

18. Members of Workforce

It is AFVW's policy to allow members of its workforce to share residents' protected health information with one another to the extent necessary to permit them to perform their legitimate functions on AFVW's behalf. At the same time, AFVW will work with and train its workforce members to ensure that there are no unnecessary or extraneous communications that will violate the rights of its residents to have the confidentiality of their protected health information maintained.

19. Veterans

AFVW may use and disclose to components of the Department of Veterans Affairs medical information about you to determine whether you are eligible for certain benefits.

20. Workers' Compensation

AFVW may use or disclose your protected health information to comply with laws relating to workers' compensation or similar programs.

21. Food and Drug Administration:

AFVW may disclose your 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 product, to enable product recalls, to make repairs or replacements, or to conduct post marketing surveillance, as required.

B. Mandatory Disclosures

AFVW will disclose protected health information to outside persons or entities without your written authorization as required by law in the following circumstances:

1. Court Order; Order of Administrative Tribunal

AFVW will disclose protected health information in accordance with an order of a court or of an administrative tribunal of a government agency.

2. Subpoena

AFVW will disclose protected health information in accordance with a valid subpoena issued by a party for adjudication before a court, an administrative tribunal, or a private arbitrator. Reasonable efforts will be made to notify you of the subpoena, or of efforts to obtain an order or agreement protecting your protected health information.

3. Law Enforcement Agencies

AFVW will disclose protected health information to law enforcement agencies in accordance with a search warrant, a court order or court-ordered subpoena, or an investigative subpoena or summons.

4. Coroner

AFVW will disclose protected health information to a coroner where the coroner requests the information to identify a decedent, to notify next of kin, or to investigate deaths that may involve public health concerns, suspicious circumstances, elder abuse, or organ or tissue donation.

5. Elder Abuse Reporting

AFVW will disclose protected health information about a resident who is suspected to be the victim of elder abuse to the extent necessary to complete any oral or written report mandated by law. Under certain circumstances, AFVW may disclose further protected health information about the resident to aid the investigating agency in performing its duties. AFVW will promptly inform the resident about any disclosure unless AFVW believes that informing the resident would place the resident in danger of serious harm, or would be informing the resident's personal representative, whom AFVW believes to be responsible for the abuse, and believes that informing such person would not be in the resident's best interest.

6. National Security and Intelligence Activities, Protected Services for the President and Others

AFVW will disclose protected health information about a resident to authorized federal officials conducting national security and intelligence activities or as needed to provide protection to the President of the United States, certain other persons or foreign heads of states, or to conduct certain special investigations.

Other Disclosures Required by Law

AFVW will disclose protected health information about a resident when otherwise required by law.

V. YOUR RIGHTS REGARDING PROTECTED HEALTH INFORMATION

You have the following rights with respect to your protected health information. To exercise these rights, contact Air Force Village West, Inc. at the following address: 17050 Arnold Drive, Riverside, CA 92518, Attention: Medical Records Director.

A. Right to Request Access

You have the right to inspect and copy your protected health information maintained by AFVW. In certain limited circumstances, AFVW may deny your request as permitted by law. However, you may be given an opportunity to have such denial reviewed by an independent licensed health care professional.

B. Right to Request Amendment

You have the right to request an amendment to your protected health information maintained by AFVW. If your request for an amendment is denied, you will receive a written denial, including the reasons for such denial, and an opportunity to submit a written statement disagreeing with the denial.

C. Right to Request Restriction

You have the right to request restrictions on the use and disclosure of your protected health information for treatment, payment or health care operations, or providing notifications regarding your identity and status to persons inquiring about or involved in your care. AFVW is not required to grant your request, but if it does, it will comply with your request, except in an emergency situation or until the restriction is terminated by you or AFVW.

D. Right to Request Confidential Communications

You have the right to request that AFVW communicate protected health information to the recipient by alternative means or at alternative locations.

E. Right to an Accounting

You have the right to receive an accounting of disclosures of your protected health information created and maintained by AFVW over the six years prior to the date of your request or for a lesser period. AFVW is not required to provide an accounting of the following disclosures:

1. To carry out treatment, payment, and health care operations;
2. To respond to your requests for access to protected health information;
3. To include your information in the AFVW's facility directories;
4. To aid in the identification or care of a resident; or
5. To any recipient prior to April 14, 2003 or for protected health information created more than six years before the date of your request for an accounting.

F. Right to Receive a Copy of the Notice of Privacy Practices

You have the right to request and receive a copy of AFVW's Notice of Privacy Practices for Protected Health Information in written or electronic form.

VI. COMPLAINTS

If you believe that your privacy rights have been violated, you may file a complaint with AFVW at the following address: Air Force Village West, Inc., 17050 Arnold Drive, Riverside, CA 92518, Attention: Corporate Compliance Officer. You also have the right to submit a complaint to the Office for Civil Rights, U.S. Department of Health and Human Services, 50 United Nations Plaza - Room 322, San Francisco, CA 94102, Telephone: (415) 437-8310, Fax: (415) 437-8329, TDD: (415) 437-8311, Attn: OCR Regional Manager. **AFVW will not retaliate against you if you file a compliant.**

VII. FURTHER INFORMATION

If you have questions about this Notice of Privacy Practices or would like further information about your privacy rights, contact Air Force Village West, Inc. at the following address: 17050 Arnold Drive, Riverside, CA 92518, Attention: Corporate Compliance Officer.

This Notice of Privacy Practices was initially prepared on April 14, 2003, and revised on March 19, 2004.

The effective date of this Notice of Privacy Practices is April 14, 2003.