

TriCore's Notice of Privacy Practices

The Privacy Rule of the federal Health Insurance Portability and Accountability Act of 1996 ("HIPAA") created new rights for you with respect to your Protected Health Information (PHI). We are required to provide you with a copy of this notice on your request, and to abide by the terms of our most current notice. A copy of this notice may be obtained at any TriCore Reference Laboratories (TriCore) facility or on our web site at www.tricore.org/TriCore/media/Documents/Compliance/HIPAA.pdf .

Protected Health Information (PHI) is information that relates to your past, present or future health, treatment, or payment of health care services.

The following sections include different ways that TriCore is permitted to use and disclose medical information. Not every use or disclosure will be listed. However, all of the ways we are permitted to use and disclose information will fall within one of the categories.

TriCore may change this Notice of its Privacy Practices periodically to better reflect its commitment to protecting the privacy of your information and when it does these changes will be effective for all PHI it maintains. The current Notice will be posted on TriCore's website.

How TriCore May Use Your Health Information without Your Written Authorization

- **Treatment** — TriCore will use your health information it obtains to provide you with the best laboratory service possible. This may include communication with your physician to clarify a laboratory test order or to obtain a diagnosis for your laboratory testing.
- **Payment** — your health information may be included as part of an invoice used to collect payment for laboratory testing you received through TriCore. We may do so electronically or through insurance claims filed through the mail.
- **Operations** — Your health information may be used internally and also shared with appropriate regulatory agencies as part of our ongoing quality assurance and quality improvement activities.
- **Incidental Disclosures** — These disclosures occur during the course of providing diagnostic services and cannot reasonably be prevented. They may also occur as a result of a permitted use or disclosure. For example, TriCore uses sign-in sheets in our patient waiting areas; however, we have implemented reasonable safeguards to protect your personal information.
- **Emergencies** — TriCore employees will use professional judgment to decide whether sharing your health information is in your best interest during a health emergency.
- **Law Enforcement** — State or federal law may permit the disclosure of your health information to law enforcement for certain purposes including, in limited circumstances, to assist law enforcement in the event that you are the victim of a crime or you are accused of criminal activity. We may also be required to release PHI in compliance with a court order, judicial subpoena, court warrants, and other investigative demands or procedures.
- **Public Health** — We may be required to disclose to federal or state officials or military authorities, health information necessary to complete an investigation related to public health or national security. Such information is sometimes needed for the control or prevention of an epidemic, or to increase understanding of the side effects of a drug treatment.
- **Organ and Tissue Donation** — Your health information may be shared with organizations that obtain, store or transplant human organs and tissues.
- **Workers' Compensation** — Your health information may be used or shared as required by workers' compensation laws and during any Workers' Compensation proceedings.
- **Correctional Institutions** — If you are an inmate, your health information may be shared with correctional institutions or law enforcement officials in order to protect your health or the health and safety of others.

- **Health Oversight Agencies** — We are required by law to share health information with the Secretary of the U.S. Department of Health and Human Services (HHS) when HHS requests this information to determine if we are following HIPAA's Privacy Rule. We also are required by law to share health information with the Centers for Medicare and Medicaid Services (CMS), a federal agency within HHS, when such information is requested for management of the Medicare/Medicaid programs.
- **Abuse or Neglect** — We will notify government authorities if we believe that a patient is the victim of abuse, neglect or domestic violence. We will make this disclosure only when compelled to do so by our ethical judgment or when we believe we are specifically required or authorized by law to do so.

How TriCore May Use Your Health Information After Obtaining Your Written Authorization

- **Research** — Some TriCore patients may participate in research studies conducted by various organizations. In such cases, TriCore will accept the combined written authorization you signed to 1) participate in the research study and 2) use and disclose your health information under that study as your valid written authorization for TriCore to use and disclose your health information to that study.
- **Legal Requests** — TriCore will only release your PHI to attorneys with your valid written authorization, or as required by a court order.
- **Marketing** — TriCore does not use, sell or distribute identifiable patient information for any marketing purpose.

Disclosing Your Protected Health Information to Family Members

TriCore may disclose to a family member (or other person close to the patient) health information directly relevant to the patient's care, payment of his/her healthcare services, location, general condition or death. TriCore may attempt to obtain the patient's agreement or objection orally. In an emergency circumstance, we may exercise professional judgment to determine whether disclosure of Protected Health Information is in the patient's best interest.

Patient Rights under the HIPAA Privacy Rule

- **Confidential Communications** – You have the right to request that we communicate with you in a certain way. You may request that we communicate your health information privately, with no other family members present, and/or through mailed communications that are sealed. TriCore employees will use their best judgment with regard to disclosures made to family members in your presence; if you want us to communicate results privately, you must request it.
- **Access** — You have the right to request a copy of your health information and billing records. Please notify TriCore if you would like to receive this information. We may need to charge you a reasonable fee to duplicate and assemble your copy.
- **Complaints** — If you believe your privacy rights have been violated, you may file a complaint with the TriCore Privacy Officer or with the Secretary of the U.S. Department of Health and Human Services (HHS) Office for Civil Rights (www.hhs.gov/ocr/privacyhowtofile.htm). All complaints must be submitted in writing, either electronically or on paper to:

Tri Core Privacy Officer
1001 Woodward Place NE
Albuquerque, NM 87102

or to:

compliance@tricore.org.

You will not be penalized or retaliated against for filing a complaint.

- **Amend** — You have the right to ask us to amend, update or modify your records during the time they are being retained by TriCore if you believe your health information record is incorrect or incomplete. You must provide your detailed request in writing. Your request may be denied if the health information

record was not created by our organization or if the existing health information is determined to be accurate and complete.

- **Restrictions** — You have the right to request that TriCore restrict or limit its use or disclosure of your Protected Health Information for treatment, payment or health care operations. While we will consider your written request, we are not required by law to agree to such a restriction or limitation.
- **Disclosures** — You have the right to receive a written list of how and where your health information might have been used without your written authorization other than for TriCore's treatment, payment or health care operations. The time period specified for the request must fall within the six-year period preceding the request date and may not include dates prior to April 14, 2003. We may need to charge you a reasonable fee for your request.

TriCore Reference Laboratories reserves the right to change its privacy practices at any time and to make the new notice effective for all Protected Health Information we maintain. Any new notice will be posted on our web site, www.tricore.org/TriCore/media/Documents/Compliance/HIPAA.pdf .

To obtain more information, write to TriCore Privacy Officer, TriCore Reference Laboratories, 1001 Woodward Place NE, Albuquerque, NM 87102. You also may email the Privacy Officer at compliance@tricore.org.

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