

## **OvaryIt's Notice of Privacy Practices**

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

### **Summary**

This is a summary of how we may use and disclose your protected health information and your rights and choices when it comes to your information. We will explain these in more detail on the following pages.

Our processing of data on behalf of our pharmacy provider customers is governed by the agreements we enter into with our customers, which may include Business Associate Agreements as applicable and required under the Health Insurance Portability and Accountability Act ("HIPAA"). Your healthcare provider may also have its own privacy practices and/or policies that govern its collection and use of your data. We are not responsible for how your healthcare provider treats your information, and we recommend you review their privacy policies.

### **Our Uses and Disclosures**

We may use and disclose your information as we:

- Transmit your medical history or prescription information to other technology services.
- Run our organization.
- Do research.
- Comply with the law.
- Respond to lawsuits and legal actions.

### **Your Choices**

You have some choices about how we use and share information as we:

- Communicate with you.
- Tell family and friends about your condition.
- Provide disaster relief.
- Market our services.

### **Your Rights**

You have the right to:

- Get a copy of your paper or electronic protected health information.
- Correct your protected health information.
- Ask us to limit the information we share, in some cases.
- Get a list of those with whom we've shared your information.
- Request confidential communication.
- Get a copy of this privacy notice.
- Choose someone to act for you.
- File a complaint if you believe we have violated your privacy rights.

### **Purpose**

We are also legally required to maintain the privacy of your protected health information (PHI) under the Health Insurance Portability and Accountability Act (HIPAA) and other federal and state laws. As part of our commitment and legal compliance, we are providing you with this Notice of Privacy Practices (Notice).

### **This Notice describes:**

- Our legal duties and privacy practices regarding your PHI, including our duty to notify you following a data breach of your unsecured PHI.
- Our permitted uses and disclosures of your PHI.
- Your rights regarding your PHI.

### **Contact**

If you have any questions about this Notice, please contact Todd Bartos at [legal@ovaryit.com](mailto:legal@ovaryit.com).

### **PHI Defined**

Your PHI:

- Is health information about you:
  - which someone may use to identify you; and
  - which we keep or transmit in electronic, oral, or written form.
- Includes information such as your:
  - name;
  - contact information;
  - past, present, or future physical or mental health or medical conditions;
  - payment for health care products or services; or
  - prescriptions.

## **Scope**

We create a record of the care and health services you receive, at times to oversee your care, and to comply with certain legal requirements. This Notice applies to all the PHI that we generate. We follow and our employees and other workforce members follow the duties and privacy practices that this Notice describes and any changes once they take effect.

## **Changes to this Notice**

We can change the terms of this Notice, and the changes will apply to all information we have about you. The new notice will be available on request, in our office, and on our website.

## **Data Breach Notification**

We will promptly notify you if a data breach occurs that may have compromised the privacy or security of your PHI. We will notify you within the legally required time frame. Most of the time, we will notify you in writing, by first-class mail, or we may email you if you have provided us with your current email address and you have previously agreed to receive notices electronically. In some circumstances, our business associates may provide the notification.

## **Uses and Disclosures of Your PHI**

The law permits or requires us to use or disclose your PHI for various reasons, which we explain in this Notice. We have included some examples, but we have not listed every permissible use or disclosure. When using or disclosing PHI or requesting your PHI from another source, we will make reasonable efforts to limit our use, disclosure, or request about your PHI to the minimum we need to accomplish our intended purpose.

### Uses and Disclosures for Treatment, Payment, or Health Care Operations

- Treatment. We may use or disclose your PHI and share it with the professionals who are treating you, including pharmacists, doctors, nurses, technicians, pharmacy students, or personnel involved in your care.
- Payment. We may use and disclose your PHI to bill and get payment from health plans or others.
- Health Care Operations. We may use and disclose your PHI to run our practice and improve your care.

## **Other Uses and Disclosures**

We may share your information in other ways, usually for public health or research purposes or to contribute to the public good. For more information on permitted uses and disclosures, see [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html).

For example, these other uses and disclosures may involve:

- **Our Business Associates.** We may use and disclose your PHI to outside persons or entities that perform services on our behalf, such as auditing, legal, or transcription (Business Associates). The law requires our business associates and their subcontractors to protect your PHI in the same way we do. We also contractually require these parties to use and disclose your PHI only as permitted and to appropriately safeguard your PHI.
- **Legal Compliance.** For example, we will share your PHI if the Department of Health and Human Services requires it when investigating our compliance with privacy laws.
- **Responding to Legal Actions.** For example, we may share your PHI to respond to:
  - a court or administrative order or subpoena;
  - discovery request; or
  - another lawful process.
- **Research.** For example, we may share your PHI for some types of health research that do not require your authorization, such as if an institutional review board (IRB) has waived the written authorization requirement because the disclosure only involves minimal privacy risks.

## **Your Choices**

For certain health information, you can tell us your choices about what we share. If you have a clear preference for how we share your information in the situations described below, please contact us and we will make reasonable efforts to follow your instructions.

You have both the right and choice to tell us whether to:

- Share information with your family, close friends, or others involved in your care.
- Share information in a disaster relief situation, such as to a relief organization to assist with locating or notifying your family, close friends, or others involved in your care.

We may share your information if we believe it is in your best interest, according to our best judgment, and:

- If you are unable to tell us your preference, for example, if you are unconscious.

- When needed to lessen a serious and imminent threat to health or safety.

### **Uses and Disclosures that Require Authorization**

In these cases we will only share your information if you give us written permission:

- Marketing our services.
- Selling or otherwise receiving compensation for disclosing your PHI.
- Other uses and disclosures not described in this Notice.

You may revoke your authorization at any time, but it will not affect information that we already used and disclosed. Your Rights When it comes to your health information, you have certain rights. This section explains your rights and some of our responsibilities to help you.

### **You have the right to:**

- **Inspect and Obtain a Copy of Your PHI.** You have the right to see or obtain an electronic or paper copy of the PHI that we maintain about you (right to request access).
- **Make Amendments.** You may ask us to correct or amend PHI that we maintain about you that you think is incorrect or inaccurate. For these requests:
  - you must submit requests in writing
  - we may deny your request for an amendment if you ask us to amend PHI that is not part of our record, that we did not create, that is not part of a designated record set, or that is accurate and complete.
- **Request Additional Restrictions.** You have the right to ask us to limit what we use or share about your PHI (right to request restrictions). You can contact us and request us not to use or share certain PHI for treatment, payment, or operations or with certain persons involved in your care. We require that you submit this request in writing. For these requests:
  - we are not required to agree;
  - we may say "no" if it would affect your care; but
  - we will agree not to disclose information to a health plan for purposes of payment or health care operations if the requested restriction concerns a health care item or service for which you or another person, other than the health plan, paid in full out-of-pocket, unless it is otherwise required by law.
- **Request an Accounting of Disclosures.** You have the right to request an accounting of certain PHI disclosures that we have made. For these requests:
  - we will respond no later than 60 days after receiving the request

- we will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures, such as any you asked us to make;
  - we will provide one accounting a year for free
- Choose Someone to Act for You. If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your PHI.
- Request Confidential Communications. You have the right to request that we communicate with you about health matters in a certain way or at a certain location. For example, you can ask that we only contact you at work or at a specific address. For these requests:
  - you must specify how or where you wish to be contacted; and
  - we will accommodate reasonable requests.
- Make Complaints. You have the right to complain if you feel we have violated your rights. We will not retaliate against you for filing a complaint. You may either file a complaint:
  - directly with us by contacting [legal@ovaryit.com](mailto:legal@ovaryit.com). All complaints must be submitted in writing; or
  - with the Office for Civil Rights at the US Department of Health and Human Services. Send a letter to Office for Civil Rights, U.S. Department of Health and Human Services, 200 Independence Avenue, SW, Room 509F, HHH Building, Washington, D.C. 20201, Toll-free: (800) 368-1019, TDD toll-free: (800) 537-7697; or visit [www.hhs.gov/ocr/privacy/hipaa/complaints/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/).

**Acknowledgment of Receipt**

I, \_\_\_\_\_ (individual's name), acknowledge that on  
\_\_\_\_\_ (date), I received a copy of Notice of Privacy Practices and that I  
read and understood it.

\_\_\_\_\_

Signature

\_\_\_\_\_

Printed Name Date: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Relationship to Patient: \_\_\_\_\_