

HEALTH MIRROR, LLC

NOTICE OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION MAY BE USED AND DISCLOSED BY HEALTH MIRROR, LLC, AND HOW IT MAY BE ACCESSED BY PATIENTS WHO USE THE HEALTH MIRROR SOLUTION.

PLEASE REVIEW IT CAREFULLY.

I. Purpose of This Notice of Privacy Practices

This Notice describes the health information privacy practices of Health Mirror, LLC. Any user of the Health Mirror Solution should note that Health Mirror is not a licensed health care provider or a health plan. Rather, Health Mirror provides its Solution as a Business Associate on behalf of covered entities such as providers and health plans.

II. Health Mirror's Privacy Obligations

Under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the implementing regulations, the Health Information Technology for Economic and Clinical Health (HITECH) chapter of the American Recovery and Reinvestment Act of 2009 (ARRA) and its implementing regulations (many of which are still forthcoming) and other applicable state and federal laws (Collectively, the "Laws"), as a business associate to provider of or payor for health care services, Health Mirror is required by law to maintain the privacy of the protected health information ("Protected Health Information" or "PHI") of its covered entity client patients and to provide each such patient with this Notice of Privacy Practices regarding Protected Health Information. When Health Mirror uses or discloses Protected Health Information, it is required to abide by the terms of its privacy policies as reflected in this Notice as it may be amended or updated from time to time.

The Laws divide uses and disclosures of PHI into those which can be done without patient authorization and those which require patient authorization. Section III describes uses and disclosures that can be done without patient authorization. Section IV describes uses and disclosures that can be made only with written patient authorization.

III. Permissible Uses and Disclosures Without A Written Authorization

A. Uses and Disclosures For Treatment, Payment and Health Care Operations. Health Mirror may use and disclose PHI under federal law in order to provide treatment, receive payment or engage in healthcare operations as described below:

Treatment. Pursuant to and consistent with its arrangement with a provider or health plan, Health Mirror may use and disclose PHI to those who provide diagnosis and treatment to a patient. Consistent with that use and disclosure, Health Mirror may contact provide appointment reminders or information about treatment alternatives or other health-related benefits and services that may be of interest and to disclose PHI to other providers involved in a patient's treatment.

Payment. Health Mirror may use and disclose PHI to obtain payment for services that Health Mirror provides, for example to a health plan or to a provider client. The ARRA provides, however, that a patient may pay for the services and request that his/her PHI not be disclosed to the health plan for that service.

Health Care Operations. Health Mirror may use and disclose PHI for health care operations, which include administration, management and activities that improve the quality and cost effectiveness of care. Health Mirror may also disclose PHI to a provider or health care facility when such PHI is required for such a provider or health care facility to engage in treatment, payment or health care operations.

B. Disclosure to Relatives, Close Friends and Other Caregivers. Health Mirror may use or disclose PHI to a patient's family member, other relative, a close personal friend or any other person identified by a patient without a written authorization only when such patient is present for, or otherwise available and provides authorization, prior to the disclosure, if Health Mirror (1) obtains and documents the patient's authorization; (2) provides the patient with a confidential opportunity to object to the disclosure and the patient does not object; or (3) reasonably infer from the circumstances and in the Health Mirror physician's professional judgment that the patient does not object to the disclosure.

If a patient is not present, or the opportunity to agree or object to a use or disclosure cannot practicably be provided because of incapacity or an emergency circumstance, Health Mirror personnel may exercise professional judgment to determine whether a disclosure is in the best interest of the patient. If Health Mirror discloses information to a family member, other relative or a close personal friend without an authorization, Health Mirror would disclose only the minimum necessary information that Health Mirror believe is directly relevant to the person's involvement with the health care or payment related to the patient's health care. Health Mirror may also disclose PHI in order to notify (or assist in notifying) such persons of a patient's location, general condition or death.

C. Public Health Activities. Health Mirror may disclose PHI in order to comply with public health requirements, including but not limited to: (1) to report certain diseases, conditions or other findings to public health authorities for the purpose of preventing or controlling disease, injury or disability; (2) to report child abuse and neglect to public health authorities or other government authorities authorized by law to receive such reports; (3) to report information about products and services under the jurisdiction of the U.S. Food and Drug Administration; (4) to alert a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading a disease or condition (under specifically limited circumstances); and (5) to report suspected abuse or neglect to a governmental authority, including a social service or protective services agency, authorized by law to receive reports of such abuse or neglect.

D. Health Oversight Activities. Health Mirror may disclose PHI to a health oversight agency that oversees the health care system and is charged with responsibility for ensuring compliance with the rules of government health programs such as Medicare or Medicaid and civil rights laws.

E. Judicial and Administrative Proceedings. Health Mirror may disclose PHI in the course of a judicial or administrative proceeding in response to a legal order or other lawful process.

F. Law Enforcement Officials. Health Mirror may disclose PHI to the police or other law enforcement officials as required or permitted by law or in compliance with a court order or a grand jury or administrative subpoena.

G. Uses or Disclosures Required By Law. Health Mirror may use and disclose PHI when required to do so by any other law not already referred to in the preceding categories.

IV. Uses and Disclosures Requiring Written Authorization

This Section IV describes the circumstances pursuant to which Health Mirror must obtain an individual's written authorization to use or disclose PHI.

Health Mirror only may use or disclose PHI when it receives a written authorization for such use or disclosure for any purpose other than the ones described above in Section III, and as described below.

A. HIV/AIDS Related Information. Health Mirror shall only disclose PHI related to HIV or AIDs with the express authorization of the Individual, and for those reasons listed above.

B. Behavioral Health Information. Consistent with State and Federal laws, Health Mirror will only disclose Behavioral Health Information pursuant to a valid written authorization. The confidentiality of alcohol and drug abuse patient records maintained by Health Mirror is protected by federal and state law and regulations. Health Mirror may not disclose drug and alcohol medical records without a patient's written authorization.

V. Rights Regarding Protected Health Information

A. For Further Information; Complaints. Further information, concerns or complaints about Health Mirror's privacy practices, or about any violations of patient privacy rights or disagreements with a decision that Health Mirror made regarding access to PHI, should be addressed to the Health Mirror Privacy Office, at the following address:

Privacy Officer
Health Mirror, LLC
101 Colonial Way
Rising Sun, MD 21911
(443) 350-0989

A patient may also file written complaints with the Office of Civil Rights of the U.S. Department of Health and Human Services, at the following address:

Office for Civil Rights
U.S. Department of Health and Human Services
150 S. Independence Mall West
Suite 372, Public Ledger Building
Philadelphia, PA 19106-9111
Main Line (800) 368-1019
FAX (215) 861-4431
TDD (800) 537-7697

Health Mirror will not retaliate against any person who reports a privacy issue or files a complaint with the Director of OCR/HHS or with the Privacy Officer.

B. Right to Request Restrictions. A patient may request restrictions on Health Mirror's use and disclosure of PHI (1) for treatment, payment and health care operations, (2) to individuals (such as a provider, family member, other relative, close personal friend or any other person identified by the patient) involved with care or with payment related to care, or (3) to prevent or limit the notification of such individuals regarding a patient's location and general condition.

C. Right to Receive Confidential Communications. A patient may request, and Health Mirror will accommodate, any reasonable written request to receive his or her PHI by alternative means of communication or at alternative locations. Requests should be made to the Privacy Office in writing.

D. Right to Revoke Authorization. A patient may revoke his or her Authorization, except to the extent that Health Mirror have taken action in reliance upon it, by delivering a written revocation statement to the Privacy Office identified above.

E. Right to Inspect and Copy Health Information. Health Mirror does not retain or store PHI. To the extent that Health Mirror has PHI, a Patient may request access to medical record files and billing records maintained by Health Mirror in order to inspect and request copies of the records. Under limited circumstances, Health Mirror may deny access to a portion of such records. Record requests must be made in writing to the Privacy Office. Health Mirror will charge \$1.00 per page, for the first 100 pages, and \$0.25 per page after that, up to a maximum of \$200.00 per record, plus postage costs if mailing is requested.

F. Right to Amend Records. Each patient has the right to request that Health Mirror amend Protected Health Information maintained in Health Mirror's medical record file or billing records, by making such a request

in writing to the Privacy Office. Health Mirror will comply with such requests unless Health Mirror believes that the amendment is inaccurate or would result in an inaccurate or incomplete record.

G. Right to Receive An Accounting of Disclosures. Upon written request to the Privacy Office, Health Mirror will provide a patient with an accounting of certain disclosures of PHI made by Health Mirror during any period of time prior to the date of said request to the Effective Date, provided such period does not exceed six years.

H. Right to Receive Paper Copy of this Notice. Upon request, Health Mirror will provide a paper copy of this Notice.

VI. Effective Date and Duration of This Notice

A. Effective Date. This Notice is effective on (INSERT START DATE ____).

B. Right to Change Terms of this Notice. Health Mirror may change the terms of this Notice at any time. If Health Mirror changes this Notice, Health Mirror may make the new notice terms effective for all Protected Health Information that Health Mirror maintain, including any information created or received prior to issuing the new notice. Copies of any amended notice will be available from the Privacy Office.