

# Bethel Township Fire Department

<b>GENERAL ORDER: 104</b>	<b>SECTION:</b> Administration
<b>SUBJECT:</b> Privacy Practices	<b>EFFECTS:</b> All Fire Personnel
<b>ADOPTED: 05/01/2016</b>	<b>SUPERSEDES:</b> None
<b>REVISED:</b>	

## **PURPOSE:**

This policy describes how the department will manage the customer's medical information.

Bethel Township Fire Department is required by law to maintain the privacy of certain confidential health care information, known as Protected Health Information or PHI, and to provide you with a notice of our legal duties and privacy practices with respect to the customers PHI. The Bethel Township Fire Department is also required to abide by the terms of the version of this Notice currently in effect.

## **GENERAL ORDER:**

**Uses and Disclosures of PHI:** The department may use PHI for the purposes of treatment, payment, and health care operations, in most cases without your written permission. Examples of our use of your PHI:

**For treatment.** This includes such things as obtaining verbal and written information about the customer's medical condition and treatment from the customer as well as from others, such as doctors and nurses who give orders to allow us to provide treatment to the customer. We may give a customer's PHI to other health care providers involved in a customer's treatment, and may transfer your PHI via radio or telephone to the hospital or dispatch center.

**For payment.** This includes any activities we must undertake in order to get reimbursed for the services we provide to the customer, including such things as submitting bills to insurance companies, making medical necessity determinations and collecting outstanding accounts.

**For health care operations.** This includes quality assurance activities, licensing, and training programs to ensure that our personnel meet our standards of care and follow established policies and procedures, as well as certain other management functions.

**Use and Disclosure of PHI Without Your Authorization.** The department is permitted to use PHI *without* a customer's written authorization, or opportunity to object, in certain situations, and unless prohibited by a more stringent state law, including:

- For the treatment, payment or health care operations activities of another health care provider who treats the customer, compliance activities;
- To a family member, other relative, or close personal friend or other individual involved in your care if we obtain the customer's written permission to do so or if we give the customer an opportunity to object to such a disclosure and the customer does not raise an objection, and in certain other circumstances where we are unable to obtain a customer's permission and believe the disclosure is in the customer's best interests;
- To a public health authority in certain situations as required by law (such as to report abuse, neglect or domestic violence);
- For health oversight activities including audits or government investigations, inspections, disciplinary proceedings, and other administrative or judicial actions undertaken by the government (or their contractors) by law to oversee the health care system;
- For judicial and administrative proceedings as required by a court or administrative order, or in some cases in response to a subpoena or other legal process;
- For law enforcement activities in limited situations, such as when responding to a warrant;
- For military, national defense and security and other special government functions;
- To avert a serious threat to the health and safety of a person or the public at large;
- For workers' compensation purposes, and in compliance with workers' compensation laws;
- To coroners, medical examiners, and funeral directors for identifying a deceased person, determining cause of death, or carrying on their duties as authorized by law;
- If the customer is a organ donor, we may release health information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ donation and transplantation;
- For research projects, but this will be subject to strict oversight and approvals;
- We may also use or disclose health information about the customer in a way that does not personally identify that customer or reveal who they are.

Any other use or disclosure of PHI, other than those listed above will only be made with a customer's written authorization. The customer may revoke his/her authorization at

any time, in writing, except to the extent that we have already used or disclosed medical information in reliance on that authorization.

*Patient Rights:* As a patient, our customer's have a number of rights with respect to their PHI, including:

***The right to access, copy or inspect their PHI.*** This means the customer may inspect and copy most of the medical information about them that we maintain. We will normally provide the customer with access to this information within 30 days of their request. We may also charge the customer a reasonable fee for copies of any medical information that they have the right to access. In limited circumstances, we may deny a customer access to their medical information, and they may appeal certain types of denials. We have available forms to request access to a customer's PHI and we will provide a written response if we deny a customer's access and let them know their appeal rights. They may also have the right to receive confidential communications of their PHI. If a customer wishes to inspect and copy their medical information, they should contact the department's privacy officer.

***The right to amend your PHI.*** Customers have the right to ask us to amend written medical information that we may have about them. We will generally amend a customer's information within 60 days of your request and will notify the customer when we have amended the information. We are permitted by law to deny a customer's request to amend their medical information only in certain circumstances, like when we believe the information a customer has asked us to amend is correct. If a customer wishes to request that we amend the medical information that we have pertaining to them, they should contact the department's privacy officer.

***The right to request an accounting.*** The customer may request an accounting from us of certain disclosures of their medical information that we have made in the six years prior to the date of their request. We are not required to give a customer an accounting of information we have used or disclosed for purposes of treatment, payment or health care operations, or when we share a customer's health information with our business associates, like our billing company or a medical facility from/to which we have transported a customer to. We are also not required to give the customer an accounting of our uses of protected health information for which the customer has already given us written authorization. If a customer wishes to request an accounting, contact the department's privacy officer.

***The right to request that we restrict the uses and disclosures of your PHI.*** The customer has the right to request that we restrict how we use and disclose their medical information that we have pertaining to them. The department is not required to agree to any restrictions you request, but any restrictions agreed to by the department in writing are binding on the department.

**Internet, Electronic Mail, and the Right to Obtain Copy of Paper Notice on Request**

*Revisions to the Notice:* The department reserves the right to change the terms of this Notice at any time, and the changes will be effective immediately and will apply to all protected health information that we maintain. Any material changes to the Notice will be promptly posted in our facilities and posted to our web site, if we maintain one. Customers can get a copy of the latest version of this Notice by contacting the department's privacy officer.

*The Customers Legal Rights and Complaints:* Customer's also have the right to complain to us, or to the Secretary of the United States Department of Health and Human Services if you believe their privacy rights have been violated. They will not be retaliated against in any way for filing a complaint with us or to the government. Should they have any questions, comments or complaints you may direct all inquiries to the department's fire chief.