

## **Apothicare HIPAA Policy**

The Health Insurance Portability and Accountability Act of 1996

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Apothicare is committed to maintaining your privacy and we take our responsibility for safeguarding this information very seriously. Apothicare is required by law to provide you with this Notice so that you will understand how we may use or share your “Protected Health Information” (“PHI”) or simply “health information.” PHI is information we obtain to provide services to you and that can identify you. PHI includes your name, medical conditions, health information and other information we use to provide your prescriptions. We are required to adhere to the terms outlined in this Notice. If you have any questions about this Notice, please contact Apothicare directly at 941-751-5000.

### **How we may use and disclose protected health information about you**

The following categories describe the ways that we use and disclose health information. Not every use or disclosure in a category will be listed. However, all the ways we are permitted to use and disclose information will fall into one of the categories.

- For Treatment. PHI obtained from Apothicare will be used to dispense your prescription medications. We may disclose health information about you to doctors, nurses, and other health care providers who are involved in taking care of you.
- For Payment. We may use or disclose your PHI to your insurer, payor, or other agent to bill and collect payment for items or services we provided to you. For instance, we may contact your insurance company, health plan, or another third party to obtain payment for services we provided to you. We may also contact you about a payment or balance due.
- For Health Care Operations. We may use and disclose health information about you for our day-to-day health care operations. For example, we may use your PHI to monitor the performance of the staff and pharmacists providing treatment and services to you. We may use your PHI to continually improve the quality and the effectiveness of the health care products and services that we provide to you. We may search various data providers and other healthcare providers to ensure we have accurate medical records to ensure the highest quality care.

### **Other allowable uses of your health information**

- Individuals Involved in Your Care or Payment for Your Care. We may disclose health information about you to a friend or family member who is involved in your care with your prior consent only. We may also give information to someone who helps pay for your care with your prior consent as well. Additionally, our pharmacists, using their professional judgment, may disclose limited PHI to other health care professionals or providers who are directly involved in your care and treatment.
- Disclosures to Parents or Legal Guardians. If you are a minor, we may release your PHI to your parents or legal guardians when we are permitted or required under federal and applicable state laws. In those cases, Apothicare will follow state laws regarding disclosure of a minor's PHI.
- As Required by Law. We will disclose health information about you when required to do so by federal, state or local law.
- To Avert a Serious Threat to Health or Safety. We may use and disclose health information about you to prevent a serious threat to your health and safety or the health and safety of the public or another person. We would do this only to help prevent the threat.
- Organ and Tissue Donation. Consistent with applicable law, we may disclose your PHI to organizations engaged in the procurement, banking, or transplantation of organs for tissue donation and transplant.
- Military and Veterans. If you are a member of the armed forces, we may disclose health information about you as required by military authorities. We may also disclose health information about foreign military personnel to the appropriate foreign military authority.
- Workers' Compensation. We may disclose health information about you for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.
- Reporting. Federal and state laws may require or permit Apothicare to disclose certain health information related to the following:
  - Prevention or control of disease, injury or disability
  - Reporting reactions to medications or problems with products; adverse drug reactions
  - Notifying people of recalls of products;
  - Notifying a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease;
  - We may disclose PHI about you to a government authority if we reasonably believe you are a victim of abuse or neglect. We will only disclose this type of information to the extent required by law, if you agree to the disclosure, or if the disclosure is allowed by law and we believe it is necessary to prevent serious harm to you or someone else.

- Health Oversight Activities. We may disclose health information to a health oversight agency for activities authorized by law. These oversight activities may include audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.
- Judicial and Administrative Proceedings. If you are involved in a lawsuit or a dispute, we may disclose health information about you in response to a court or administrative order. We may also disclose health information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.
- Law Enforcement. We may disclose health information when requested by a law enforcement official:
  - In response to a court order, subpoena, warrant, summons or similar process;
  - To identify or locate a suspect, fugitive, material witness, or missing person;
  - About you, the victim of a crime if, under certain limited circumstances, we are unable to obtain your agreement;
  - About a death we believe may be the result of criminal conduct;
  - About criminal conduct at Apothicare Pharmacy; and
  - In emergency circumstances to report a crime; the location of the crime or victims; or the identity, description or location of the person who committed the crime.
- Coroners, Medical Examiners and Funeral Directors. We may disclose medical information to a coroner or medical examiner. This may be necessary to identify a deceased person or determine the cause of death. We may also disclose medical information to funeral directors as necessary to carry out their duties.
- National Security and Intelligence Activities. We may disclose health information about you to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.
- Correctional Institution. Should you be an inmate of a correctional institution, we may disclose to the institution or its agents' health information necessary for your health and the health and safety of others.
- Protective services for the President and others. We may disclose your PHI to authorized federal officials so that they may provide protection to the President, other authorized persons, or foreign heads of state, or conduct special investigations.

**Other uses of health information**

Other uses and disclosures of health information not covered by this Notice or the laws that apply to us will be made only with your written permission. If you provide us permission to use or disclose health information about you, you may revoke that permission, in writing, at any time. If you revoke your permission, we will no longer use or disclose health information about you for the reasons covered by your written authorization. You understand that we are unable to take back any disclosures we have already made with your permission, and that we are required to retain our records of the care that we provided to you.

### **Your rights regarding health information about you**

Although your health record is legally considered the property of Apothicare, the information belongs to you. You have the following rights regarding your health information:

- Right to Inspect and Copy. With some exceptions, you have the right to review and copy your health information. You must submit your request in writing to Apothicare Pharmacy's Privacy Office. We may charge a fee for the costs of copying, mailing or other supplies associated with your request.
- Right to Amend. If you feel that the health information in your record is incorrect or incomplete, you may ask us to amend the information. You have this right for as long as the information is kept by or for Apothicare. You must submit your request in writing to Apothicare Pharmacy's Privacy Office. In addition, you must provide a reason for your request. We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that:
  - Was not created by us, unless the person or entity that created the information is no longer available to make the amendment;
  - Is not part of the health information kept by or for Apothicare; or
  - Is accurate and complete.
- Right to an Accounting of Disclosures. You have the right to request an "accounting of disclosures". This is a list of certain disclosures we made of your health information, other than those made for purposes such as treatment, payment, or health care operations. You must submit your request in writing to Apothicare Pharmacy's Privacy Office. Your request must state a period, which may not be longer than five years from the date the request is submitted and may not include dates before June 25, 2018. Your request should indicate in what form you want the list (for example, on paper or electronically). The first list you request within a twelve-month period will be free. For additional lists, we may charge you for the costs of providing the list. We will

notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred.

- Right to Request Restrictions. You have the right to request a restriction or limitation on the health information we use or disclose about you. For example, you may request that we limit the health information we disclose to someone who is involved in your care or the payment for your care. You could ask that we not use or disclose information about a prescription you had to a family member or friend.
- We will comply with your request unless the information is needed to provide you emergency treatment. You must submit your request in writing to Apothicare Pharmacy's Privacy Office. In your request, you must tell us (1) what information you want to limit; (2) whether you want to limit our use, disclosure or both; and (3) to whom you want the limits to apply, for example, disclosures to your spouse.
- Right to Request Alternate Communications. You have the right to request that we communicate with you about medical matters in a confidential manner or at a specific location. For example, you may ask that we only contact you via mail to a post office box. You must submit your request in writing to Apothicare Pharmacy's Privacy Office. We will not ask you the reason for your request. Your request must specify how or where you wish to be contacted. We will accommodate all reasonable requests.
- Right to a Paper Copy of This Notice. You have the right to a paper copy of this Notice of Privacy Practices even if you have agreed to receive the Notice electronically. You may ask us to give you a copy of this Notice at any time.
- You may obtain a copy of this Notice at our website, [www.lwrpharmacy.com](http://www.lwrpharmacy.com) To obtain a paper copy of this Notice, contact Apothicare Pharmacy's Privacy Office.

### **Changes to this notice**

We reserve the right to change this Notice. We reserve the right to make the revised or changed Notice effective for health information we already have about you as well as any information we receive in the future. We will post a copy of the current Notice in our pharmacy consultation department and on the website. The Notice will specify the effective date on the first page, in the bottom right-hand corner. In addition, if material changes are made to this Notice, the Notice will contain an effective date for the revisions and copies can be obtained by contacting Apothicare Pharmacy's Privacy Office.

### **Complaints**

If you believe your privacy rights have been violated, you may file a complaint with Apothicare or with the Secretary of the Department of Health and Human Services. To file a complaint with Apothicare, contact Ed or Laila

Zeid at 8618 E State Road 70 Bradenton, FL 34202. All complaints must be submitted in writing. You will not be penalized for filing a complaint.

Last update: June 25, 2018