
NOTICE OF PRIVACY PRACTICES

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

OUR LEGAL DUTY

The University of the Pacific is a Hybrid Entity. In accordance with the Health Insurance and Portability Act ("HIPAA") our Designated Healthcare Components are required by law to maintain the privacy of your protected health information. We are required to give you this notice about our privacy practices ("Notice"), our legal duties, your rights concerning your protected health information, and to notify affected individuals following a breach of unsecured protected health information. We must follow the privacy practices that are described in this Notice while it is in effect. This Notice takes effect April 14, 2003 and will remain in effect until we replace it.

We reserve the right to change our privacy practices and the terms of this Notice at any time, provided such changes are permitted by applicable law. We reserve the right to make these changes effective for all health information that we maintain, including health information we created or received before we made the changes. Before we make a significant change in our privacy practices, we will change this Notice, and post the new Notice clearly and prominently, and will make the new Notice available upon request.

You may request a copy of our Notice at any time. For more information about our privacy practices, or for additional copies of this Notice, please contact us using the information listed at the end of this Notice.

USES AND DISCLOSURES OF HEALTH INFORMATION

We use and disclose protected health information about you for treatment, payment, and Healthcare operations. Some information may be entitled to special confidentiality protections under applicable state or federal law. We will abide by these special protections as they pertain to applicable cases involving these types of records.

Treatment: We may use or disclose your protected health information for treatment purposes. For example, we may disclose information about your last appointment to a specialist also treating you.

Payment: We may use and disclose your protected health information to obtain payment for services we provide to you. For example, we may send claims to your health plan containing protected health information.

Healthcare Operations: We may use and disclose your protected health information in connection with our healthcare operations. For example, our healthcare operations include quality assessment and improvement activities, reviewing the competence or qualifications of healthcare professionals, evaluating practitioner and provider performance, conducting training programs, accreditation, certification, licensing or credentialing activities. As an educational institution your protected health information may be accessed by students, residents, faculty and staff of the university during the course of clinical operations.

Friends, Family, and Persons Involved in Your Care: We may disclose your protected health information to your family, friends or any other individual identified by you when they are involved in your care or the payment of your care. Additionally, if a person has the authority by law to make health care decisions for you, we will treat that personal representative the same way we

would treat you with respect to your personal health information. We may use or disclose health information to notify, or assist in the notification of (including identifying or locating) a family member, your personal representative or another person responsible for your care, of your location, your general condition, or death. If you are present, then prior to use or disclosure of your health information, we will provide you with an opportunity to object to such uses or disclosures. In the event of your incapacity or emergency circumstances, we will disclose health information based on a determination using our professional judgment, disclosing only health information that is directly relevant to the person's involvement in your healthcare. We will also use our professional judgment and our experience with common practice to make reasonable inferences of your best interest in allowing a person to pick up filled prescriptions, medical supplies, x-rays, or other similar forms of health information.

Disaster Relief: We may use or disclose your protected health information to assist in disaster relief efforts.

Marketing Health-Related Services: We will not use your protected health information for marketing communications without your written authorization.

Required by Law: We may use or disclose your protected health information when we are required to do so by law.

Public Health Activities: We may disclose your protected health information for public health activities, including disclosures to:

Prevent or control disease, injury or disability;

Report child abuse or neglect;

Report reactions to medications or problems with products or devices;

Notify a person of a recall, repair, or replacement of products or devices;

Notify a person who may have been exposed to a disease or condition;

or

Notify the appropriate government authority if we believe a patient has been the victim of abuse, neglect, or domestic violence.

National Security: We may disclose to military authorities the protected health information of Armed Forces personnel under certain circumstances. We may disclose to authorized federal officials protected health information required for lawful intelligence, counterintelligence, and other national security activities. We may disclose to correctional institutions, or law enforcement officials having lawful custody, the protected health information of an inmate or patient under certain circumstances.

Secretary of the Department of Health and Human Services ("HHS"): We will disclose your protected health information to the Secretary of HHS when required to investigate or determine compliance with HIPAA.

Worker's Compensation: We may disclose your protected health information to the extent authorized by, and to the extent necessary to, comply with laws relating to worker's compensation or other similar programs established by law.

Law Enforcement: We may disclose your protected health information for law enforcement purposes as permitted by HIPAA, as required by law, or in response to a subpoena or court order.

Health Oversight Activities: We may disclose your protected health information to an oversight agency for activities authorized by law. These oversight activities include audits, investigations, inspections and credentialing, as necessary for licensure, and 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 dispute, we may disclose your protected health information in response to a court or administrative order. We may also disclose protected health information about you in response to a subpoena, discovery request, or other lawful process instituted by someone else involved in the dispute, but only if efforts have been made, either by the requesting party or us, to tell you about the request or to obtain an order protecting the information requested.

Research: We may disclose your protected health information to researchers when their research has been approved by our institutional review board (IRB). Our IRB will review the research proposal and confirm protocols to ensure the privacy of your information.

Coroners, Medical Examiners, and Funeral Directors: We may release your protected health information to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or to determine the cause of death. We may also disclose protected health information to funeral directors consistent with applicable law to enable them to carry out their duties.

Fundraising: We may contact you to provide you with information about our sponsored activities, including fundraising programs, as permitted by applicable law. If you do not wish to receive such information from us, you may opt out of receiving these communications.

Appointment Reminders: We may disclose your protected health information to provide you with appointment reminders (such as voicemails messages, postcards, or letters).

Other Uses and Disclosures of Protected Health Information: Your written authorization is required for the sale of your protected health information, for use or disclosure for marketing purposes, and for most uses and disclosures of psychotherapy notes. We will also obtain your written authorization before using or disclosing your protected health information for purposes other than those provided for in this Notice (or as otherwise permitted or required by law). You may revoke an authorization in writing at any time. Upon receipt of the written revocation, we will stop using or disclosing your protected health information, except to the extent that we have already taken action in reliance on the authorization.

YOUR HEALTH INFORMATION RIGHTS

Access: You have the right to look at or get copies of your protected health information, with limited exceptions. You must make the request in writing. If you request information that we maintain electronically, you have the right to an electronic copy. We will use the format you request unless we cannot practically do so. We reserve the right to charge you a reasonable cost-based fee for expenses such as supplies and labor. If you prefer, we will prepare a summary or an explanation of your protected health information for a fee. Contact us using the information listed at the end of this Notice for more information. If we deny your request for access, you have the right to have the denial reviewed in accordance with the requirements of applicable law.

Disclosure Accounting: You have the right to receive a list of instances in which we or our business associates disclosed your protected health information for purposes other than treatment, payment, healthcare operations

and certain other activities, for the last 6 years. You must submit your request in writing to the Privacy Officer. If you request this accounting more than once in a 12-month period, we may charge you a reasonable, cost-based fee for responding to these additional requests.

Restriction: You have the right to request that we place additional restrictions on our use or disclosure of your protected health information by submitting a written request to the Privacy Officer. Your written request must include (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. If we agree, we will comply with your request unless the information is needed to provide you with emergency treatment. We are not required to agree to your request except in the case where the disclosure is to a health plan for purposes of carrying out payment or healthcare operations, and the information pertains solely to a health care item or service for which you, or a person on your behalf (other than the health plan), has paid in full.

Alternative Communication: You have the right to request that we communicate with you about your protected health information by alternative means or at alternative locations. You must make your request in writing. Your request must specify the alternative means or location, and provide satisfactory explanation of how payments will be handled under the alternative means or location you request. We will accommodate all reasonable requests. However, if we are unable to contact you using the ways or locations you have requested we may contact you using the information we have.

Amendment: You have the right to request that we amend your protected health information. Your request must be in writing, and it must explain why the information should be amended. We may deny your request under certain circumstances. If we agree to your request, we will amend your record(s) and notify you of such. If we deny your request for an amendment, we will provide you with a written explanation of why and explain your rights.

Notification of Breach: You will receive notifications of breaches of your unsecured protected health information as required by law.

Electronic Notice: If you receive this Notice on our website or by electronic mail (e-mail), you are entitled to receive a paper copy of this Notice.

QUESTIONS AND COMPLAINTS

If you want more information about our privacy practices or have questions or concerns, please contact us. If you are concerned that we may have violated your privacy rights or you disagree with a decision we made regarding your protected health information, such as access, amendment, restriction or any other right mentioned in this notice, you may complain to us using the contact information listed at the end of this Notice. You also may submit a written complaint to HHS. We will provide you with the address to file your complaint with HHS upon request. We support your right to the privacy of your protected health information. We will not retaliate in any way if you choose to file a complaint with us or with the U.S. Department of Health and Human Services.

Contact information:

Ms. Lindsey Green
University Privacy Officer: 415.929.6552
privacy@pacific.edu

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