

UW Health Care Providers Notice of Privacy Practices

Effective Date: \_\_\_\_\_

**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.**

## **I. UNDERSTANDING YOUR HEALTH INFORMATION**

Each time you visit a UW Health Care Provider for health care a record of your visit is made. This record usually contains identification and financial information as well as symptoms, diagnoses, test results, a description of a physical examination, and a treatment plan. This record is often referred to as your “medical record,” or “health information,” and includes information contained in paper as well as electronic records. Your health information is used:

- to plan for your care and treatment;
- for communication among your health care professionals;
- as a legal document describing the care you received;
- as a way for you or your insurance company to verify the services provided;
- to help UW Health Care Providers review and improve health care and outcomes;
- as a source of information for important health research;
- to train health professionals and students;
- for other similar activities that allow UW Health Care Providers to operate efficiently and provide you with quality care.

## **II. UW HEALTH CARE PROVIDERS’ DUTY TO PROTECT YOUR HEALTH INFORMATION**

Under the Health Insurance Portability and Accountability Act of 1996 (a Federal law also know as “HIPAA”), UW Health Care Providers are required to keep your health information confidential, and to provide you with this notice of our legal duties and privacy practices. This notice describes how UW Health Care Providers use and disclose your health information. UW Health Care Providers consist of several separate, but affiliated organizations that provide quality health care, train future health care professionals (such as doctors, nurses, and lab technicians), and conduct health sciences research. UW Health Care Providers include the following organizations:

- University of Wisconsin Hospitals and Clinics (“UWHC”);

- The University of Wisconsin Medical Foundation (“UWMF”), which includes all its community based clinics, its specialty care clinics and the Surgery Center located at the S. Park Street Campus, and the University Community Clinics.
- These units of the University of Wisconsin - Madison (“UW”)—the UW Health Science Schools (including the UW Medical School, and several UW Family Practice Clinics; the School of Nursing; the School of Pharmacy) and the Clinical Services Unit of the Waisman Center.
- Other designated affiliated covered entities.

UW Health Care Providers share the same privacy practices described in this notice because health care professionals and other employees from each of these organizations are often involved in the care of the same patient. For example, a patient who receives care at UWHC is typically cared for by nurses and others employed by UWHC, and is examined and treated by a physician who is a faculty member of UW Medical School, who bills for their services thru the UWMF. In the course of providing health care, training health care professionals, and conducting health science research, UW Health Care Providers create, maintain, use, and disclose your health information. The purpose of this notice is to describe UW Health Care Providers’ privacy practices related to your health information. Our privacy practices are intended to protect the confidentiality of the health information that specifically identifies or could be used to identify you.

UW Health Care Providers may change the terms of this notice if their privacy practices change or as federal or state requirements change. Each notice will have an effective date listed on the first page. UW Health Care Providers reserve the right to make the amended notice effective for any health information UW Health Care Providers have at the time the change is made, as well as for future health information.

You may obtain a current copy of our Notice of Privacy Practices at any UW Health Care Providers registration desk or on any of UW Health Care Providers’ websites.

### **III. HOW UW HEALTH CARE PROVIDERS MAY USE AND DISCLOSE YOUR HEALTH INFORMATION**

UW Health Care Providers use and disclose your health information for many different reasons, most of which are necessary to provide you with quality health care services. Federal and state law do not require UW Health Care Providers to get your permission to perform many routine functions, especially those activities necessary to treat you, create and deliver bills for your treatment, and other routine activities necessary to perform efficiently. Federal and state law also permit UW Health Care Providers to share this information with third parties who assist us in the performance of these routine functions. For some activities, however, federal and/or state law requires UW Health Care Providers to obtain your written authorization.

Please note that Wisconsin law is more protective of certain health information than HIPAA. As required by state law, in most cases, UW Health Care Providers may not disclose your information related to treatment for mental health, alcohol or drug dependence, or HIV status without your written authorization.

*The following descriptions contain examples, but do not refer to every way in which your health information could be used or disclosed. UW Health Care Providers may use or disclose your health information in ways permitted by law that are not included in the examples below.*

#### **A. Uses and disclosures of your health information for the purpose of providing you with medical care**

Providing you with treatment, collecting payment, and conducting health operations are necessary activities for delivering health care. State and federal law permits UW Health Care Providers to use and disclose your health information for these purposes. Examples of what constitutes treatment, payment, and health care operations follow.

##### **1. Treatment Examples:**

- A physician treating you for a broken leg may need to know if you have diabetes because diabetes may slow the healing process. The physician may talk with your primary physician or may read your medical record. In addition, the physician may need to tell the dietitian if you have diabetes in order to arrange for appropriate meals.
- Different departments of UW Health Care Providers also may disclose your health information to coordinate such activities as writing prescriptions, and ordering and viewing lab work and x-rays.
- UW Health Care Providers also may disclose your health information by phone, letter, fax, or computer to people not affiliated with UW Health Care Providers who are involved in your medical care, such as your primary physician or a home health agency.

##### **2. Payment Examples**

- UW Health Care Providers may need to give your health insurance plan information about your surgery in order to receive payment.
- UW Health Care Providers may also tell your health insurance plan about treatment to obtain approval or to determine whether your plan will pay for the treatment.
- A UW Health Clinic may bill the person in your family who is responsible for payment or who pays for your health insurance.

##### **3. Health Care Operations Examples**

- Your health information may be used to review the performance and competence of physicians and others involved in your care.
- Your health information may be used in training programs for health sciences students who will become future health care professionals.

- UW Health Care Providers may use your health information for administrative activities, or for accreditation, certification, or licensing purposes.

**B. Other uses and disclosures of your information that do not require your authorization.**

There are some instances, usually those in the “interest of the public,” when UW Health Care Providers are permitted or required by law to use and disclose your information without your authorization. For example:

**1. Disclosures required by law**

UW Health Care Providers will disclose medical information about you when required to do so by federal or state laws.

**2. Public health activities**

UW Health Care Providers may disclose medical information about you for public health purposes. For example:

- Reporting certain conditions such as cancer and communicable diseases for purposes of monitoring, preventing, and controlling disease;
- Reporting vital statistics such as birth and death;
- Reporting reactions to medications or problems with health products and notifying people of health product recalls.

**3. Victims of abuse, neglect, or domestic violence**

UW Health Care Providers are *required* by law to report any suspected abuse of a child, and are *permitted* to report suspected abuse of an adult. Usually, UW Health Care Providers will report suspected abuse of an adult only with that person’s consent.

**4. Health oversight activities**

UW Health Care Providers may disclose health information to agencies that monitor our compliance with state and federal laws.

**5. Judicial and administrative proceedings**

If you are involved in a lawsuit or a dispute, UW Health Care Providers may disclose medical information about you in response to a court order.

**6. Law enforcement**

UW Health Care Providers may disclose health information about you to law enforcement officials in response to a court order or other similar process allowed by law in order to identify or locate a suspect, fugitive, material witness, or missing person; or to report or respond to a crime.

#### **7. Coroners and Medical Examiners**

UW Health Care Providers may disclose health information to a coroner or medical examiner for the purposes of identifying a deceased person or determining a cause of death.

#### **8. Organ and tissue donation**

UW Health Care Providers may disclose health information to organizations that are involved in organ procurement or organ, eye or tissue transplantation.

#### **9. Appointment reminders/additional communications**

UW Health Care Providers may use your health information to call you or send you a letter reminding you of an upcoming appointment. UW Health Care Providers may also use your information to call or send you the results of tests or to give you other health communications.

#### **10. Research**

Under certain circumstances, UW Health Care Providers may use and disclose your health information for research purposes, which may include contacting you about participation in research projects. A research oversight committee exists to protect the rights of all research participants, including their privacy and confidentiality rights.

#### **11. Serious threat to health or safety**

UW Health Care Providers may use and disclose your health information when necessary to prevent a serious threat to your health and safety or the health and safety of others.

#### **12. Specific government functions**

If you are a member of the Armed Forces, UW Health Care Providers may disclose your health information, under certain circumstances, to military authorities to assist with a military mission.

#### **13. Workers' compensation**

UW Health Care Providers may release your health information to workers' compensation or similar programs that provide benefits for work-related injuries or illness.

#### **14. Communicating additional services provided by UW Health Care Providers**

Under certain conditions, UW Health Care Providers may use your health information to inform you of additional or health related services it has to offer.

#### **C. Uses and disclosures of your health information that you may object to or refuse.**

Listed below are examples of ways UW Health Care Providers may use or disclose your health information without your authorization unless you refuse or object.

##### **1. Patient directory**

UWHC maintains a directory of hospitalized patients that contains patients' names, location in the hospital, condition in general terms ("fair condition") and religious affiliation. We maintain this directory to provide information to those who ask about patients, such as family members, friends, clergy, and those making deliveries (like flowers).

You have the right to refuse or limit the use or disclosure of your information from UWHC's directory. You will be asked upon admission or shortly thereafter if you wish to be excluded from UWHC's patient directory.

Unless you object, your religious affiliation, name, location, and general condition may be given to clergy.

Unless you object, your location, and general condition may be given to any person who asks for you by name, which may include family and friends, delivery personnel, and the media.

If we are unable to offer you an opportunity to object, for example, if you are admitted in an emergency, or are otherwise incapacitated, UWHC staff members will exercise their professional judgment to determine if it is in your best interest to have directory information disclosed.

##### **2. Information disclosed to family members, close friends, or others**

To coordinate your care and explain your condition and treatment plan, UW Health Care Providers may disclose health information about you to your family or close personal friends. You have the right to object to these kinds of disclosures. In an emergency situation, UW Health Care Providers will exercise their professional judgment to determine if family or friends should receive information about you.

##### **3. Notification**

Unless you object, UW Health Care Providers may use your health information to notify, or assist in notifying, members of your family, close personal friends, or

any other people responsible for your care about your condition, location, or death.

#### **4. Disaster relief**

Unless you object, UW Health Care Providers may also disclose your health information to an organization authorized to assist in disaster relief efforts so that loved ones can receive information about your location and health status.

#### **5. Fundraising activities**

UW Health Care Providers and the University of Wisconsin Foundation (“UW Foundation”) may use contact information (name, address, phone numbers, and dates of service) from your medical records to contact you about efforts to raise money for UWHC and UW. The UW Foundation is the official fundraising and gift-receiving organization for UWHC and UW.

UW Health Care Providers must provide you with instructions on how to refuse future communications, and must make reasonable efforts to ensure you will not receive additional communications.

### **D. Uses and disclosures of your health information requiring your authorization**

If UW Health Care Providers need to use or disclose your health information for any purpose not listed above, they must first obtain your written authorization. Even if you authorize UW Health Care Providers to use or disclose your information for a particular purpose, you may revoke your authorization.

## **IV. YOUR RIGHTS AS A PATIENT OF UW HEALTH CARE PROVIDERS**

As a patient of UW Health Providers, you have the following rights with regard to your health information:

### **A. Right to request how we contact you**

It is UW Health Care Providers’ normal practice to communicate with you at your home address and home phone number about health matters, such as appointment reminders and the results of lab tests. Sometimes we may leave messages on your voicemail. You have the right to request that UW Health Care Providers communicate with you in a different way. For example, you may request that UW Health Care Providers only communicate with you by mail to a particular address. UW Health Care Providers will agree to reasonable requests.

To request an alternative method of communication, please contact the Admissions Desk at UWHC or the registration desk at any UW Health Clinic. Please note, however, that if you request communications in an alternative manner, *all future* communications initiated by UW Health Care Providers will be made in that manner.

### **B. Right to inspect and copy your medical and billing records**

You have the right to inspect and obtain a copy of your information contained in UW Health Care Providers' billing and medical records. UW Health Care Providers may deny your request to inspect and copy under limited circumstances. To request access to your billing or health information, contact the patient accounting or medical record department of the UWHC or the UW Health Clinic where you receive care. If you ask for a copy of any information, UW Health Care Providers may charge a reasonable fee for the costs of copying, mailing and supplies.

### **C. Right to add information to correct your medical and billing records**

If you feel that information contained in your medical or billing records is incorrect or incomplete, you may ask UW Health Care Providers to add information to correct the record. UW Health Care Providers will make a decision on your request within 60 days, or in some cases, within 90 days. Under certain circumstances, UW Health Care Providers may deny your request to add information. To request an addition to your billing or medical records, you must contact the patient accounting or the medical record department at UWHC or the UW Health Clinic where you receive care. UW Health Care Providers may require you to submit your request in writing and to provide an explanation concerning the reason for your request.

### **D. Right to an accounting of disclosures.**

You have the right to request an "accounting of disclosures," which is a list of certain disclosures of your health information by UW Health Care Providers. This list will *not include*:

- (1) disclosures made to carry out treatment, payment, and health care operations;
- (2) disclosures made to you;
- (3) disclosures made with your authorization;
- (4) disclosures from the patient directory;
- (5) disclosures to family or friends involved in your care, to disaster relief organizations, or to notify those involved in your care of your location in UW Health facilities and your health status; or
- (6) disclosures made six years or more before the date your request is received.

UW Health Care Providers will make a decision on your request for an accounting within 60 days, or in some cases, 90 days of receipt of your request and will provide you with further information about your rights if they deny your request.

UW Health Care Providers must provide you an accounting of disclosures free of charge once in any twelve (12) month time period. UW Health Care Providers may charge you for the costs of providing you with the list more than once in a twelve month time period.

To request an accounting of disclosures, you must make your request to the medical record department at the UWHC, UWMF, or Department of Family Medicine clinic where you receive care.

**E. Right to a paper copy of this notice**

You have the right to obtain a paper copy of UW Health Care Providers' most current Notice of Privacy Practices upon request within a reasonable amount of time, even if you have received a copy of the notice electronically.

**F. Right to request restrictions on uses and disclosures of your health information**

Federal law says you have the right to ask for restrictions on certain uses and disclosures of your health information. Federal law also says that UW Health Care Providers are not required to agree to such restrictions. Because of the number, complexity, and nature of the services we deliver, UW Health Care Providers cannot make any formal commitment under federal law to agree to such requests. However, outside of federal law, in rare circumstances, informal arrangements for limited restrictions may be worked out with you.

**V. CONTACT AND COMPLAINT INFORMATION****A. Contact Information**

If you have any question or concerns regarding the information in this notice please contact:

Department of Patient and Family Relations

600 Highland Ave. Mailcode 2460

Madison, WI 53792

(608) 263-8009

**B. Complaints**

If you believe that anyone at UW Health Care Providers has violated your privacy rights, you may call the Department of Patient Relations and discuss your concerns. If you are not satisfied with the outcome, you may file a written complaint with the Department of Patient Relations. In addition, you may also file a complaint with the Secretary of the Federal Department of Health and Human Services (DHHS Secretary). If you file a complaint, you will in no way be punished, threatened, harassed, retaliated against, or subjected to any other negative consequences.