



## Notice of Privacy Practices

In accordance with the Health Insurance Portability and Accountability Act (HIPAA), Nutritious Thoughts is required to provide you with information regarding our responsibilities to you in how your medical information (protected health information, referred to as PHI) may be used and disclosed, and how you might access this information. We collect health information about you and store it in paper chart or electronic chart and in an electronic medical record. The medical record is the property of Nutritious Thoughts, but the information in the medical record belongs to you. This notice is intended to clarify these responsibilities and rights. Please ask us if you have further questions regarding the use or disclosure of your PHI.

Nutritious Thoughts is required to follow the procedures in this Notice. We reserve the right to change the terms of this Notice and to make new Notice provisions effective for all protected health information that we maintain by:

- posting the revised Notice in our waiting room
- making copies of the revised Notice available upon request
- posting the revised Notice on our website.

### USES AND DISCLOSURES

The following are ways in which Nutritious Thoughts may use or disclose your protected health information (PHI) without your written authorization.

#### *For Your Care*

Nutritious Thoughts may use or disclose your PHI in order to provide, coordinate or manage your medical treatment or services. This includes situations when our providers share information about you internally for case coordination, or when they work with external providers to write or order a prescription, perform lab testing or otherwise help carry out your care services. We may also use and disclose PHI to contact you as a reminder that you have an appointment for treatment or medical care with us. We may use and disclose PHI to tell you about or recommend possible treatment options or alternatives or health-related benefits or services that may be of interest to you.

#### *For Payment*

Nutritious Thoughts may use and disclose PHI about you so that the treatment and services you receive at Nutritious Thoughts may be billed to and payment may be collected from you, an insurance company or a third party. For instance, we may need to give your health plan information about nutrition services you received at Nutritious Thoughts, so your health plan will pay us or reimburse you for the service. We may also tell your health plan about nutrition services you are going to receive to obtain prior approval or to determine whether your plan will cover the services we provide. We may also disclose information to someone who is involved with your care or helps pay for your care.



31 College Place  
Building B, Suite 200  
Asheville, NC 28801

Nutritious-Thoughts.com  
Phone: (828) 333-0096 Fax: (828) 505-8772  
**EMPOWER. NOURISH. HEAL.**

Satellite Office:  
132 3<sup>rd</sup> Ave East  
Hendersonville, NC 28739

### *For Health Care Operations*

Nutritious Thoughts may use or disclose your PHI as part of our other operational procedures such as quality improvement, performance evaluation and compliance reviews. Or we may use and disclose this information to get your health plan to authorize services or referrals. We may also share your information with other health care providers, health care clearinghouses or health plans that have a relationship with you, when they request this information to help them with their quality assessment and improvement activities, their patient-safety activities, their population-based efforts to improve health or reduce health care costs, their protocol development, case management or care-coordination activities, their review of competence, qualifications and performance of health care professionals, their training programs, their accreditation, certification or licensing activities, or their health care fraud and abuse detection and compliance efforts. An example of using your information for our operations purposes would be to review the care provided to you to evaluate its effectiveness, efficiency and quality. We may also use information on the care provided to you for business planning, workforce planning and budget management. We may also contact you as part of a fundraising effort.

Subject to applicable state law, in some limited situations, the law allows or requires us to use or disclose your health information for purposes beyond treatment, payment, and operations. However, some of the disclosures set forth below may never occur at our office.

### *As Required by Law*

Nutritious Thoughts will disclose PHI about you when required to do so by federal, state, or local law.

### *Appointment Reminders & Use of Contact Information*

By supplying your telephone number, email address and other personal contact information you are authorizing Nutritious Thoughts to use and disclose your Protected Health Information (PHI) to contact you. Messages may include the name of your provider, the time and place of your scheduled appointment(s), and other limited information, for the purposes of notifying you of a pending appointment, a missed appointment, or balance due. We may notify you about your appointment utilizing an automated phone system, text message, a personal call, email, or by mail. This notification may involve leaving a message on an answering machine or other automated or electronic equipment for such purposes. If you are not home, we may leave this information on your answering machine or in a message left with the person answering the phone.

### *Business Associates*

Nutritious Thoughts will share your PHI with business associates that assist us in business and other administrative operations. Business associates include people or companies outside of Nutritious Thoughts who provide services to us. For example, health information may be disclosed by us to a vendor to send statements and process payment for services rendered. Our business associates must comply with HIPAA laws and we have agreements with them to protect the privacy and security of your PHI.

### Other Unique Situations

#### *Research*

Nutritious Thoughts may disclose your PHI to researchers when their research has been approved by an institutional review board or privacy board that has reviewed the research proposal and established protocols to ensure the privacy of your information.

### *Health Risks*

Nutritious Thoughts may disclose PHI about you to a government authority if we reasonably believe you are a victim of abuse, neglect or domestic violence. 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 or lessen a serious and imminent threat to you or another person.

### *Judicial and Administrative Proceedings*

If you are involved in a lawsuit or dispute, Nutritious Thoughts may disclose your information 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, either by us or the requesting party, to tell you about the request or to obtain an order protecting the information requested.

### *Public Health*

As required by law, Nutritious Thoughts may use or disclose PHI to the appropriate entities charged with preventing or controlling disease, injury, or disability.

### *To Avert a Serious Threat to Health or Safety*

Nutritious Thoughts may use and disclose PHI about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person.

### *For Purposes of Health Oversight Activities*

Nutritious Thoughts may disclose PHI to a health oversight agency for activities authorized by law. These activities include audits, investigations, and inspections, as necessary for licensure and for the government to monitor the health care system, government programs, and compliance with civil rights laws.

### *Law Enforcement*

Nutritious Thoughts may release PHI as required by law, or in response to an order or warrant of a court, a subpoena, or an administrative request. We may also disclose PHI in response to a request related to identification or location of an individual, victims of crime, decedents, or a crime on the premises.

### *Organ and Tissue Donation*

If you are an organ donor, Nutritious Thoughts may release PHI to organizations that handle organ procurement or organ eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation.

### *Special Government Functions*

If you are a member of the armed forces, Nutritious Thoughts may release PHI about you if it relates to military and veterans activities. We may also release your PHI for national security and intelligence purposes, protective services for the President, and medical suitability or determinations of the Department of State.

### *Coroners, Medical Examiners, and Funeral Directors*

Nutritious Thoughts may release PHI to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. We may also disclose PHI information to funeral directors consistent with applicable law to enable them to carry out their duties.

### *Correctional Institutions and Other Law Enforcement Custodial Situations*

If you are an inmate of a correction institution or under the custody of a law enforcement official, Nutritious Thoughts may release PHI about you to the correctional institution or law enforcement official as necessary for your or another person's health and safety.

### *Worker's Compensation*

Nutritious Thoughts may disclose information as necessary to comply with laws relating to worker's compensation or other similar programs established by law.

### *Food and Drug Administration*

Nutritious Thoughts may disclose to the FDA, or persons under the jurisdiction of the FDA, PHI relative to adverse events with respect to drugs, foods, supplements, products and product defects, or post marketing surveillance information to enable product recalls, repairs, or replacement.

### YOUR RIGHTS REGARDING PROTECTED HEALTH INFORMATION ABOUT YOU

Unless you object, or request that only a limited amount or type of information be shared, Nutritious Thoughts may use or disclose PHI about you in the following circumstances:

- We may share with a family member, relative, friend or other person identified by you, the PHI directly relevant to that person's involvement with your care or payment for your care. We may also share information to notify these individuals of your location, general condition or death.
- We may share information with a public or private agency (such as the American Red Cross) for disaster relief purposes. Even if you object, we may still share this information if necessary for the emergency circumstances.

### *Right to Inspect and Copy*

You have the right to inspect and copy PHI that may be used to make decisions about your care. Usually, this includes medical and billing records.

To inspect and copy PHI that may be used to make decisions about you, you must submit your request in writing. If you request a copy of the information, we may charge a fee for the costs of copying, mailing or other supplies associated with your request, and we will respond to your request no later than 30 days after receiving it. There are certain situations in which we are not required to comply with your request. In these circumstances, we will respond to you in writing, stating why we will not grant your request and describe any rights you may have to request a review of our denial.

### *Right to Amend*

If you feel the health information Nutritious Thoughts has about you is incorrect or incomplete, you may ask us to amend or supplement the information.

Your written request must include a reason to support the amendment and you will be notified, in writing, if your request is denied. We will act on your request for an amendment no later than 60 days after receiving the 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 PHI kept by Nutritious Thoughts

- Is not part of the information which you would be permitted to inspect and copy; or
- We believe 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 the disclosures Nutritious Thoughts made of PHI about you. To request this list or accounting of disclosures, you must submit your request in writing to Nutritious Thoughts. You may ask for disclosures made up to six years before your request. The first list you request within a 12-month period will be free. For additional lists, we may charge you for the costs of providing the list. We are required to provide a listing of all disclosures except the following:

- For your treatment
- For billing and collection of payment for your treatment
- For health care operations
- Made to or requested by you, or that you authorized
- Occurring as a byproduct of permitted use and disclosures
- For national security or intelligence purposes or to correctional institutions or law enforcement regarding inmates
- As part of a limited data set of information that does not contain information identifying you

#### *Right to Request Restrictions*

You have the right to request a restriction or limitation on the PHI Nutritious Thoughts uses or discloses about you for treatment, payment or health care operations or to persons involved in your care; however, we are not required to agree to your request. If we do agree, we will comply with your request unless the information is needed to provide you emergency treatment, the disclosure is to the Secretary of the Department of Health and Human Services, or the disclosure is for one of the purposes already described. To request a restriction, you must provide us, in writing 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.

#### *Right to Receive Confidential Communications*

You have the right to request and receive your communications about your medical matters in a certain way or at a certain location. For example, you can ask that we only contact you at work or by mail. To request confidential communications, you must submit your request in writing. Nutritious Thoughts will accommodate all reasonable requests.

#### *Right to a Paper Copy*

You have the right to obtain a paper copy of Nutritious Thoughts’ Notice of Privacy Practices upon request at any time.

#### *Right to Receive Breach Notification*

If Nutritious Thoughts or any of its business associates experience a breach of your health information (as defined by HIPAA laws) that compromises the security or privacy of your health information, you will be notified of the breach and about any steps you should take to protect yourself from potential harm resulting from the breach.

#### *Change of Ownership*

In the event that Nutritious Thoughts is sold or merged with another organization, your health information/record will become the property of the new owner, although you will maintain the right to request that copies of your PHI be transferred to another physician or medical group.

## Other Uses and Disclosures

### *With Your Authorization*

In order to use or disclose your health information for any reasons other than those stated in this notice (or as otherwise permitted or required by law), we will need a written authorization from you. Authorizations can be provided using Nutritious Thoughts Authorization for Release of Protected Health Information form and will specify the entity to which you are authorizing disclosure.

Any written authorizations that you provide will remain in effect as long as you are a client of Nutritious Thoughts, unless you revoke an authorization by notifying us in writing or authorization expires upon the minor's age of majority. If you revoke an authorization, please be aware that revocation will not impact any uses or disclosures that occurred while the authorization was in effect.

### *Complaints*

If you are concerned that we have violated your privacy rights or you disagree with a decision that we made about access to your records, you may make a complaint to Nutritious Thoughts or make a written complaint to the Secretary of the Department of Health and Human Services. A complaint to the Secretary should be filed within 180 days of the occurrence or action that is the subject of the complaint. You will not be penalized for filing a formal complaint.