

## **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 goal is to take appropriate steps to attempt to safeguard any medical or other personal information that is provided to us. The Privacy Rule under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") requires us to: (i) maintain the privacy of medical information provided to us; (ii) provide notice of our legal duties and privacy practices; (iii) notify affected individuals following a breach of unsecured protected health information; and (iv) abide by the terms of our Notice of Privacy Practices currently in effect.

### **WHO WILL FOLLOW THIS NOTICE**

This notice describes the practices of our employees and staff as well as our communication with other treating physicians. This notice applies to each of these individuals, entities, sites and locations. In addition, these individuals, entities, sites and locations may share medical information with each other for treatment, payment and health care operation purposes described in this notice.

### **INFORMATION COLLECTED ABOUT YOU**

In the ordinary course of receiving treatment and health care services from us, you will be providing us with personal information such as: your name, address and phone number, information relating to your medical history, your insurance information and coverage as well as information concerning your doctor, nurse or other medical providers.

In addition, we will gather certain medical information about you and will create a record of the care provided to you. Some information also may be provided to us by other individuals or organizations that are part of your "circle of care"- such as the referring physician, your other doctors, your health plan, and close friends or family members.

In addition, we may audiotape or videotape staff members to audit the quality of care and information they provide you. Such recordings may capture your image, voice, or information about you. These recordings will not be used for any purpose other than staff training and will be kept confidential. Any such tapes will be erased no later than 21 days after recording.

## HOW WE MAY USE AND DISCLOSE INFORMATION ABOUT YOU

We may use and disclose personal and identifiable health information about you for a variety of purposes. All of the types of uses and disclosures of information are described below, but not every use or disclosure in a category is listed.

Required Disclosures. We are required to disclose health information about you to the Secretary of Health and Human Services, upon request, to determine our compliance with HIPAA and to you, in accordance with your right to access and right to receive an accounting of disclosures, as described below.

For Treatment. We may use health information about you in your treatment. For example, we may use your medical history, such as any presence or absence of diabetes, to assess the health of your eyes.

For Payment. We may use and disclose health information about you to bill for our services and to collect payment from you or your insurance company. For example, we may need to give a payer information about your current medical condition so that it will pay us for the eye examinations or other services that we have furnished you. We may also need to inform your payer of the treatment you are going to receive in order to obtain prior approval or to determine whether the service is covered.

For Health Care Operations. We may use and disclose information about you for the general operation of our business. For example, we sometimes arrange for auditors or other consultants to review our practices, evaluate our operations, and tell us how to improve our services. Or, for example, we may use and disclose your health information to review the quality of services provided to you.

Public Policy Uses and Disclosures. There are a number of public policy reasons why we may disclose information about you which are described below.

We may disclose health information about you when we are required to do so by federal, state, or local law.

We may disclose protected health information about you in connection with certain public health reporting activities.

We may disclose protected health information about you in connection with certain public health reporting activities. For instance, we may disclose such information to a public health authority authorized to collect or receive PHI for the purpose of preventing or controlling disease, injury or disability, or at the direction of a public health authority, to an official of a foreign government agency that is acting in collaboration with a public health authority. Public health authorities include state health departments, the Center for Disease Control, the Food and Drug Administration, the Occupational Safety and Health Administration and the Environmental Protection Agency, to name a few.

We are also permitted to disclose protected health information to a public health authority or other government authority authorized by law to receive reports of child abuse or neglect. Additionally we may disclose protected health information to a person subject to the Food and Drug Administration's power for the following activities: to report adverse events, product defects or problems, or biological product deviations; to track products; to enable product recalls; repairs or replacements; to conduct post marketing surveillance. We may also disclose a patient's health information to a person who may have been exposed to a communicable disease or to an employer to conduct an evaluation relating to medical surveillance of the workplace or to evaluate whether an individual has a work-related illness or injury.

We may disclose a patient's health information where we reasonably believe a patient is a victim of abuse, neglect or domestic violence and the patient authorizes the disclosure or it is required or authorized by law.

We may disclose health information about you in connection with certain health oversight activities of licensing and other health oversight agencies which are authorized by law. Health oversight activities include audit, investigation, inspection, licensure or disciplinary actions, and civil, criminal, or administrative proceedings or actions or any other activity necessary for the oversight of 1) the health care system, 2) governmental benefit programs for which health information is relevant to determining beneficiary eligibility, 3) entities subject to governmental regulatory programs for which health information is necessary for determining compliance with program standards, or 4) entities subject to civil rights laws for which health information is necessary for determining compliance.

We may disclose your health information as required by law, including in response to a warrant, subpoena, or other order of a court or administrative hearing body or to assist law enforcement identify or locate a suspect, fugitive, material witness or missing person. Disclosures for law enforcement purposes also permit use to make disclosures about victims of crimes and the death of an individual, among others.

We may release a patient's health information (1) to a coroner or medical examiner to identify a deceased person or determine the cause of death and (2) to funeral directors. We also may release your health information to organ procurement organizations, transplant centers, and eye or tissue banks, if you are an organ donor.

We may release your health information to workers' compensation or similar programs, which provide benefits for work-related injuries or illnesses without regard to fault.

Health information about you also may be disclosed when necessary to prevent a serious threat to your health and safety or the health and safety of others.

We may use or disclose certain health information about your condition and treatment for research purposes where an Institutional Review Board or a similar body referred to as a Privacy Board determines that your privacy interests will be adequately protected in the study. We may also use and disclose your health information to prepare or analyze a research protocol and for other research purposes.

If you are a member of the Armed Forces, we may release health information about you for activities deemed necessary by military command authorities. We also may release health information about foreign military personnel to their appropriate foreign military authority.

We may disclose your protected health information for legal or administrative proceedings that involve you. We may release such information upon order of a court or administrative tribunal. We may also release protected health information in the absence of such an order and in response to a discovery or other lawful request, if efforts have been made to notify you or secure a protective order.

If you are an inmate, we may release protected health information about you to a correctional institution where you are incarcerated or to law enforcement officials in certain situations such as where the information is necessary for your treatment, health or safety, or the health or safety of others.

Finally, we may disclose protected health information for national security and intelligence activities and for the provision of protective services to the President of the United States and other officials or foreign heads of state.

Our Business Associates. We sometimes work with outside individuals and businesses that help us operate our business successfully. We may disclose your health information to these business associates so that they can perform the tasks that we hire them to do. Our business associates must promise that they will respect the confidentiality of your personal and identifiable health information.

Disclosures to Persons Assisting in Your Care or Payment for Your Care. We may disclose information to individuals involved in your care or in the payment for your care. This includes people and organizations that are part of your "circle of care" -- such as your spouse, your other doctors, or an aide who may be providing services to you. We may also use and disclose health information about a patient for disaster relief efforts and to notify persons responsible for a patient's care about a patient's location, general condition or death.

Appointment Reminders. We may use and disclose medical information to contact you as a reminder that you have an appointment or that you should schedule an appointment.

Use of Email and Text Messages: We communicate with you and people in your circle of care by unencrypted email or text messages. This may allow hackers or others access to your protected health information. We use unencrypted email and text messages because we believe the ease of communication in coordination of care outweighs the potential risk of exposure. If you do not wish for us to communicate with you in these ways, please notify one of the staff members at the front desk or call the office and notify the person who answers the phone.

Communication through Online Platforms: We may communicate with you on certain online platforms in the event: (1) you initiate communications with us on that online platform; and (2) you have consented to us communicating with you on online platforms, generally. If you do not wish for

us to communicate with you in these ways, please notify one of the staff members at the front desk or simply decline to execute the corresponding consent.

Treatment Alternatives. We may use and disclose your personal health information in order to tell you about or recommend possible treatment options, alternatives or health-related services that may be of interest to you.

Marketing Information. We may use and disclose your personal health information in order to tell you about media items related to our practice that may be of interest to you *if* you authorize us to do so. However, authorization is not required if the information is communicated face-to-face, on the telephone, or in the form of a promotional gift of nominal value.

Research. Under certain circumstances, we may use and disclose information about you for research purposes. In doing so, we will implement appropriate safeguards in accordance with HIPAA. In addition, we will not disclose your information for external research purposes unless we obtain your written authorization unless the disclosure is otherwise permitted by applicable law or if we de-identify the information in question.

## OTHER USES AND DISCLOSURES OF PERSONAL INFORMATION

We are required to obtain written authorization from you for any other uses and disclosures of medical information other than those described above. If you provide us with such permission, you may revoke that permission, in writing, at any time. If you revoke your permission, we will no longer use or disclose personal information about you for the reasons covered by your written authorization, except to the extent that (i) we have already relied on your original permission, or (ii) your permission was given as a condition of obtaining insurance coverage and the insurer requests your information under state law.

## INDIVIDUAL RIGHTS

You have the right to ask for restrictions on the ways we use and disclose your health information for treatment, payment and health care operation purposes. You may also request that we limit our disclosures to persons assisting your care or payment for your care. We will consider your request, but we are not required to accept it.

You have the right to request that you receive communications containing your protected health information from us by alternative means or at alternative locations. For example, you may ask that we only contact you at home or by mail.

You have the right to inspect and copy medical, billing and other records containing your health information *unless* the records were compiled in reasonable anticipation of a civil, criminal, or administrative action or proceeding. If you ask for copies of this information, we may charge you a fee for copying and mailing.

If you believe that information in your records is incorrect or incomplete, you have the right to ask us to correct the existing information or add missing information or otherwise amend the information or record, for as long as the record is maintained. Under certain circumstances, we may deny your

request, such as if (i) we did not create or compile the record containing the information, (ii) the information is not part of your medical records; (iii) you are not permitted to review the information under federal law, or (iv) the information is reasonably accurate and complete.

You have a right to receive a list of certain instances when we have used or disclosed your medical information, specifying the date and recipients of such uses and disclosures, as well as a brief description of information used or disclosed and the purpose(s) for which such information was used or disclosed. We must provide you with such list no later than sixty (60) days after you request it. We are not required to include in the list uses and disclosures for your treatment, payment for services furnished to you, our health care operations, disclosures to you, disclosures you give us authorization to make and uses and disclosures before April 14, 2003, among others. If you ask for this information from us more than once every twelve months, we may charge you a fee.

You have the right to a copy of this notice in paper form. You may ask us for a copy at any time.

To exercise any of your rights, please contact us in writing at Maloney-Shamie Vision Institute, 10921 Wilshire Boulevard Suite #900, Los Angeles, California 90024, ATTN: Privacy Officer. When making a request for amendment, you must state a reason for making the request.

## CHANGES TO THIS NOTICE

We reserve the right to make changes to this notice at any time. We reserve the right to make the revised notice effective for personal health information we have about you as well as any information we receive in the future. In the event there is a material change to this notice, the revised notice will be posted on our website. In addition, you may request a copy of the revised notice at any time.

## COMPLAINTS/COMMENTS

If you have any complaints concerning our privacy practices, you may contact the Secretary of the Department of Health and Human Services, at 200 Independence Avenue, S.W., Room 509F, HHH Building, Washington, D.C. 20201 (e-mail: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)). You also may contact us at The Maloney-Shamie Vision Institute 10921 Wilshire Boulevard Suite #900 Los Angeles, California 90024 310-208-3937 or 877-EYESIGHT.

You will not be retaliated against or penalized by us for filing a complaint.

To obtain more information concerning this notice, you may contact our Privacy Officer Robert K. Maloney at 310-208-3937, by email at [rm@maloneyvision.com](mailto:rm@maloneyvision.com) or by mail at 10921 Wilshire Blvd, Suite 900, Los Angeles, CA 90024.

This notice is effective as of November 2, 2022.

