

PRIVACY PRACTICES

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU
AS AN EMPLOYEE OF MELMARK MAY BE USED AND DISCLOSED
AND HOW YOU CAN GET ACCESS TO THIS INFORMATION.
PLEASE REVIEW IT CAREFULLY.**

SUMMARY

In the course of your employment with Melmark, you will provide us with personal information about your health, with the understanding that this information will be kept confidential. We may also obtain information about your health from examinations, tests, or from others who have provided you with care under the provisions of Melmark's post-employment and bi-annual physicals, self-insured benefit plans, worker's compensation programs, illness leaves and disability policies and benefit plans, occupational medicine, and/or OSHA (Occupational Safety and Health Administration) requirements. This notice of our privacy practices is intended to inform you of the ways we may use your information and the occasions on which we may disclose this information to others.

We use employees' information when providing treatment, we disclose employees' information to other health care providers to assist them to provide you with treatment; we may disclose information to insurance companies as necessary to receive billing information or to receive claims processing information; we may use the information within our organization to evaluate the quality of our benefit plans and costs; and we may make other uses and disclosures of employees' information as required or as permitted by local, state and federal law or as permitted by Melmark policies as described below.

KINDS OF INFORMATION THAT THIS NOTICE APPLIES TO

This notice applies to any information in our possession that would allow someone to identify you and learn something about your health. It does not apply to information that contains nothing that could reasonably be used to identify you.

WHO MUST ABIDE BY THIS NOTICE

- Melmark
- All employees, staff, students, volunteers and other personnel whose work is under the direct control of Melmark.

The people and organizations to which this notice applies (referred to as "we," "our," and "us") have agreed to abide by its terms. We may share your information with each other for purposes of treatment, if applicable, and as necessary for payment and operations activities as described below.

OUR LEGAL DUTIES

- We are required by law to maintain the privacy of your health information.
- We are required to provide this notice of our privacy practices and legal duties regarding health information to anyone who asks for it.
- We are required to abide by the terms of this notice until we officially adopt a new notice.

HOW WE MAY USE OR DISCLOSE YOUR HEALTH INFORMATION.

We may use your health information, or disclose it to others, for a number of different reasons. This notice describes these reasons. For each reason, we have written a brief explanation. We also provide some examples. These examples do not include all of the specific ways we may use or disclose your information. But any time we use your information, or disclose it to someone else, it will fit one of the reasons listed here.

- 1. Treatment.** We will use your health information if we provide you with medical care and services. This means that duly authorized employees whose work is under our direct control, may read your health information to learn about your medical condition and use it to make decisions about your care and ability to perform the essential functions of your position. For instance, Melmark's benefits administrator may read your medical certification provided by your health care provider in order to determine your eligibility under the Family Medical Leave Act. We will also disclose your information to others who need it in order to provide you with medical treatment or services. For instance, we may send your doctor the results of your post-employment physical.
- 2. Payment.** We will use your health information, and disclose it to others, as necessary to obtain payment for services provided to you. For instance, an employee in our human resources department may use your health information to authorize payment for dental benefits. And we may send that payment, and any health information it contains, to the company that administers the dental plan for us. We may also disclose some of your health information to companies or authorized employees of companies with whom we contract for services related to our bi-annual physicals. For instance, we may give information about you to schedule you for the physical. We will not use or disclose more information for payment purposes than is necessary.
- 3. Health Care Operations.** We may use your health information for activities that are necessary to operate this organization. This includes reading your health information to review the performance of our third party administrators. We may also use your information and the information of other employees to plan what benefits plans we need to provide, expand, or reduce. We may also provide health information to Human Resources or Nursing interns or students who are authorized to receive training here. We may disclose your health information as necessary to others who we contract with to provide administrative services. This includes our lawyers, auditors, accreditation services, and consultants, for instance.
- 4. Legal Requirement to Disclose Information.** We will disclose your information when we are required by law to do so. This includes reporting information to government agencies that have the legal responsibility to monitor the health care system. For instance, we may be required to disclose your health information, and the information of others, if we audited by Medicare or Medicaid. We will also disclose your health information when we are required to do so by a court order or other judicial or administrative process.
- 5. Public Health Activities.** We will disclose your health information when required to do so for public health purposes. This includes reporting certain diseases, births, deaths, and reactions to certain medications. It may also include notifying people who have been exposed to a disease.
- 6. To Report Abuse.** We may disclose your health information when the information relates to a victim of abuse, neglect or domestic violence, or an allegation of abuse under the provisions of Melmark's Incident Management System Policy. We will make this report only in accordance with laws that require or allow such reporting.
- 7. Law Enforcement.** We may disclose your health information for law enforcement purposes. This includes providing information to help locate a suspect, fugitive, material witness or missing person, or in connection with suspected criminal activity. We must also disclose your health information to a federal agency investigating our compliance with federal privacy regulations.

8. **Specialized Purposes.** We may disclose the health information of members of the armed forces as authorized by military command authorities. We may disclose your health information for a number of other specialized purposes. We will only disclose as much information as is necessary for the purpose. For instance, we may disclose your information to coroners, medical examiners and funeral directors; to organ procurement organizations (for organ, eye, or tissue donation); or for national security, intelligence, and protection of the president. We also may disclose health information about an inmate to a correctional institution or to law enforcement officials, to provide the inmate with health care, to protect the health and safety of the inmate and others, and for the safety, administration, and maintenance of the correctional institution. We may also disclose your health information for purposes of workers' compensation and work site safety laws (OSHA, for instance).

9. **To Avert a Serious Threat.** We may disclose your health information if we decide that the disclosure is necessary to prevent serious harm to the public or to an individual. The disclosure will only be made to someone who is able to prevent or reduce the threat.

10. **Family and Friends.** We may notify family or friends whom you have identified in your Emergency Contact Information in the event of an emergency if you are unable to do so, or if you are in the hospital, and they need to be advised of your general condition. In the event of a disaster, we may provide information about you to a disaster relief organization so they can notify your family of your condition and location. We will not disclose your information to family or friends if you object.

12. **Information to Employees.** We may use your health information to provide you with additional information. This may include sending appointment reminders regarding your post-employment physical, drug screening, or bi-annual physical exam to your address.

13. **Fund Raising.** We may use your identifying information to contact you to ask for donations to Melmark.

14. **Health Benefits Information.** Your health information may be disclosed by the Melmark employee health benefit program to Melmark employees in Human Resources, as necessary for the administration of the health benefit program. Employees who receive this information have special rules to prevent the misuse of your information for other purposes.

YOUR RIGHTS

1. **Authorization.** We may use or disclose your health information for any purpose that is listed in this notice without your written authorization. We will not use or disclose your health information for any other reason without your authorization. If you authorize us to use or disclose your health information, you have the right to revoke the authorization at any time. For information about how to authorize us to use or disclose your health information, or about how to revoke an authorization, contact the person listed under "Whom to Contact" at the end of this notice. You may not revoke an authorization for us to use and disclose your information to the extent that we have taken action in reliance on the authorization. If the authorization is to permit disclosure of your information to an insurance company, as a condition of obtaining coverage, other law may allow the insurer to continue to use your information to contest claims or your coverage, even after you have revoked the authorization.

2. **Request Restrictions.** You have the right to ask us to restrict how we use or disclose your health information. We will consider your request. But we are not required to agree. If we do agree, we will comply with the request unless the information is needed to provide you with emergency treatment. We cannot agree to restrict disclosures that are required by law.

3. **Confidential Communication.** You have the right to ask us to communicate with you at a special address or by a special means if you fear that disclosure of the information or mail of the

information to your home could endanger you in any way. Or you may ask us to speak to you personally on the telephone rather than sending your health information by mail. We will not ask you to explain why you are making the request. We will agree to any reasonable request

4. Inspect And Receive a Copy of Health Information. You have a right to inspect the health information about you that we have in our records, and to receive a copy of it. This right is limited to information about you that is kept in records that are used to help us with our human resources and benefits administration functions. For instance, this includes medical and billing records. If you want to review or receive a copy of these records, you must make the request in writing. We may charge a fee for the cost of copying and mailing the records. To ask to inspect your records, or to receive a copy, contact the person listed under "Whom to Contact" at the end of this notice. We will respond to your request within 30 days. We may deny you access to certain information. If we do, we will give you the reason, in writing. We will also explain how you may appeal the decision.

5. Amend Health Information. You have the right to ask us to amend health information about you, which you believe is not correct, or not complete. You must make this request in writing, and give us the reason you believe the information is not correct or complete. We will respond to your request in writing within 30 days. We may deny your request if we did not create the information, if it is not part of the records we use to make decisions about you, if the information is something you would not be permitted to inspect or copy, or if it is complete and accurate.

6. Accounting of Disclosures. You have a right to receive an accounting of certain disclosures of your information to others. This accounting will list the times we have given your health information to others. The list will include dates of the disclosures, the names of the people or organizations to whom the information was disclosed, a description of the information, and the reason. We will provide the first list of disclosures you request at no charge. We may charge you for any additional lists you request during the following 12 months. You must tell us the time period you want the list to cover. You may not request a time period longer than six years. We cannot include disclosures made before April 14, 2003. Disclosures for the following reasons will not be included on the list: disclosures for treatment, payment, or health care operations; disclosures for national security purposes; disclosures to correctional or law enforcement personnel; disclosures that you have authorized; and disclosures made directly to you.

7. Paper Copy of this Privacy Notice. You have a right to receive a paper copy this notice. If you have received this notice electronically, you may receive a paper copy by contacting the person listed under "Whom to Contact" at the end of this notice.

8. Complaints. You have a right to complain about our privacy practices, if you think your privacy has been violated. You may file your complaint with our Human Resources Department, or with the person listed under "Whom to Contact" at the end of this notice. You may also file a complaint directly with the Secretary of the U. S. Department of Health and Human Services, at the Office for Civil Rights, U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Room 509F HHH Bldg., Washington, D.C. 20201. All complaints must be in writing. We will not take any retaliation against you if you file a complaint.

OUR RIGHT TO CHANGE THIS NOTICE

We reserve the right to change our privacy practices, as described in this notice, at any time. We reserve the right to apply these changes to any health information, which we already have, as well as to health information we receive in the future. Before we make any change in the privacy practices described in this notice, we will write a new notice that includes the change. We will post the new notice in the foyer or our main entrance. The new notice will include an effective date.

WHOM TO CONTACT

Contact the person listed below:

- For more information about this notice, or
- for more information about our privacy policies, or
- if you want to exercise any of your rights, as listed on this notice, or
- if you want to request a copy of our current notice of privacy practices.

Melmark Privacy Official

2600 Wayland Road

Berwyn, PA 19312.

Telephone: (610) 325-4932

Email: andrewward@melmark.org

Copies of this notice are also available at such locations as the information desk, gymnasium entrance, employee bulletin board, nursing stations, and day and school programs' public bulletin boards. This notice is also available by e-mail. Contact the person named above, or send an e-mail to: andrewward@melmark.org. This notice is also available on our website: www.melmark.org.