

Notice of Avanti Health Systems' Privacy Practices

Right to an accounting:

You or your representative have the right to request an accounting of disclosures of your health information made by Avanti Health Systems (AHS) for any reason other than for treatment, payment, or health operations. The request for an accounting must be made in writing to the AHS Privacy Office at 300 Villa Drive, Hurley, Wisconsin 54534. The request should specify the time period for the accounting starting on April 14, 2003. Accounting requests may not be made for periods of time in excess of six (6) years. AHS will provide the first accounting you request during any 12 month period without charge. Subsequent accounting requests may be subject to a reasonable cost-based fee.

Right to a paper copy of this notice:

You or your representative have a right to a separate paper copy of this notice at any time, even if you or your representative have received this notice previously. To obtain a separate paper copy, please contact the AHS Privacy Office at 715-561-3200. A resident or a resident's representative may also obtain a copy of the current version of Avanti Health Systems' notice at any of its Web sites.

Duties of Avanti Health Systems:

Avanti Health Systems is required by law to maintain the privacy of your health information and to provide to you and your representatives this notice of its duties and privacy practices. AHS is required to abide by the terms of this notice as may be amended from time to time. AHS reserves the right to change the terms of its notice and to make the new notice provisions effective for all health information that it maintains. If AHS changes its notice, AHS will provide a copy of the revised notice to you or your appointed representative. You or your representative have the right to express complaints to AHS and to the Secretary of Health and Human Services if you or your representative believe that your privacy rights have been violated. Any complaints to AHS should be made in writing to the AHS Privacy Office at 300 Villa Drive, Hurley, Wisconsin 54534. AHS encourages you to express any concerns you may have regarding the privacy of your information. You will not be retaliated against in any way for filing a complaint.

Contact person:

Avanti Health Systems has designated Joseph Simonich as its contact person for all issues regarding resident privacy and your rights under federal privacy standards. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, PLEASE CONTACT JOSEPH SIMONICH AT 715-561-3200.

EFFECTIVE 4/14/2003: 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.

Use and disclosure of health information:

Avanti Health Systems (AHS) may use your health information, that is, information that constitutes “protected health information” (PHI) as defined in the Privacy Rule of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996, for purposes of providing you treatment, obtaining payment for your care and conducting health care operations. Avanti Health Systems has established a policy to guard against unnecessary disclosure of your health information.

THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER WHICH AND PURPOSES FOR WHICH YOUR HEALTH INFORMATION MAY BE USED AND DISCLOSED:

To provide treatment. Avanti Health Systems may use your health information to provide care to you and disclose your health information to others who provide care to you, such as your attending physician and other health care professionals who are involved in your care. For example, physicians involved in your care will need information about your symptoms in order to prescribe appropriate medications. AHS may also disclose your health care information to individuals outside of AHS involved in your care including family members, pharmacists, suppliers of medical equipment or other health care professionals.

To obtain payment. Avanti Health Systems may include your health information in invoices to collect payment from third parties for the care you may receive from AHS. For example, AHS may be required by your health insurer to provide information regarding your health care status so that the insurer will reimburse you or Avanti Health Systems. AHS may also need to obtain prior approval from your insurer and may need to explain to the insurer your need for health care and the services that will be provided to you.

To conduct health care operations. Avanti Health Systems may use and disclose health information for its own operations in order to facilitate the function of AHS and as necessary to provide quality care to all of Avanti Health Systems’ residents.

Health care operations include activities such as:

- Quality assessment and improvement activities
- Activities designed to improve health or reduce health care costs
- Protocol development, case management and care coordination
- Contacting health care providers and residents with information about treatment alternatives and other related functions that do not include treatment
- Professional review and performance evaluation
- Training programs including those in which students, trainees, or practitioners in health care learn under supervision

- Training of non-health care professionals
- Accreditation, certification, licensing or credentialing activities
- Review and auditing, including compliance reviews, medical reviews, legal services and compliance programs
- Business planning and development including cost management and planning related analyses and formulary development
- Business management and general administrative activities of Avanti Health Systems
- Fundraising for the benefit of Avanti Health Systems and certain marketing activities.

For example, AHS may use your health information to evaluate it's staff performance, combine your health information with other AHS residents in evaluating how to more effectively serve all of AHS's residents, disclose your health information to AHS staff and contracted personnel for training purposes, use your health information to contact you or your family as part of general fundraising and community information mailings (unless you tell us you do not want to be contacted).

For a facility directory. Avanti Health Systems may disclose certain information about you including your name, your general health status, your religious affiliation and where you are located in a directory while you are in an AHS facility. AHS may disclose this information to people who ask for you by name. However, religious affiliation will only be disclosed to clergy. If you do not want AHS to include your information in the directory, you must notify the AHS Privacy Office at 715-561-3200 or the facility's administrator or social worker.

For fundraising activities. Avanti Health Systems may use information about you including your name, address and telephone number to contact you or your family to raise money for AHS. If you do not want AHS to contact you or your family, you must notify the AHS Privacy Office at 715-561-3200 or the facility's administrator or social worker and indicate that you do not wish to be contacted.

For treatment alternatives. Avanti Health Systems may use and disclose your health information to tell you about or recommend possible treatment options or alternatives that may be of interest to you.

THE FOLLOWING IS A SUMMARY OF THE CIRCUMSTANCES UNDER WHICH AND PURPOSES FOR WHICH YOUR HEALTH INFORMATION MAY BE USED AND DISCLOSED WITHOUT YOUR WRITTEN CONSENT OR AUTHORIZATION.

When legally required. Avanti Health Systems will disclose your health information when it is required to do so by any federal, state, or local law.

When there are risks to public health. Avanti Health Systems may disclose your health information for the following public activities and purposes:

- To prevent or control disease, injury or disability, report disease, injury, vital events such as birth or death and the conduct of public health surveillance, investigations and interventions.
- To report adverse events, product defects, to track products or enable product recalls, repairs and replacements and to conduct post-marketing surveillance and compliance with requirements of the Food and Drug Administration.
- To notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease.
- To an employer about an individual who is a member of the workforce as legally required.

To report abuse, neglect or domestic violence. Avanti Health Systems is allowed to notify government authorities if AHS believes a resident is the victim of abuse, neglect or domestic violence. Avanti Health Systems will make this disclosure only when specifically required or authorized by law or when the resident agrees to the disclosure.

To conduct health oversight activities. Avanti Health Systems may disclose your health information to a health oversight agency for activities including audits; civil, administrative or criminal investigations; inspections; licensure or disciplinary action. AHS, however, may not disclose your health information if you are the subject of an investigation and investigation does not arise out of and is not directly related to your receipt of health care or public benefits.

In connection with judicial and administrative proceedings. As permitted or required by state law, Avanti Health Systems may disclose your health information in the course of any judicial or administrative proceeding in response to an order of a court or administrative tribunal as expressly authorized by such order or in response to a subpoena, discovery request or other lawful process, but only when AHS makes reasonable efforts to either notify you about the request or to obtain an order protecting your health information.

For law enforcement purposes. As permitted or required by state law, Avanti Health Systems may disclose your health information to a law enforcement official for certain law enforcement purposes, including, under certain limited circumstances, if you are a victim of a crime or in order to report a crime.

To coroners and medical examiners. Avanti Health Systems may disclose your health information to coroners and medical examiners for purposes of determining your cause of death or for other duties, as authorized by law.

To funeral directors. Avanti Health Systems may disclose your health information to funeral directors consistent with applicable law and, if necessary, to carry out their duties with respect to your funeral arrangements. If necessary to carry out their duties, AHS may disclose your health information prior to and in reasonable anticipation, of your health.

For organ, eye, or tissue donation. Avanti Health Systems may use or disclose your health information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs, eyes, or tissue for the purpose of facilitating the donation and transplantation.

For research purposes. Avanti Health Systems may, under very select circumstances, use your health information for research. Before AHS discloses any of your health information for such research purposes, the project will be subject to an extensive approval process. AHS will almost always request your written authorization before granting access to your individually identifiable health information.

In the event of a serious threat to health or safety. Avanti Health Systems may, consistent with applicable law and ethical standards of conduct, disclose your health information if AHS, in good faith, believes that such disclosure is necessary to prevent or lessen a serious and imminent threat to your health or safety or to the health and safety of the public.

For specified government functions. In certain circumstances, the federal regulations authorize Avanti Health Systems to use or disclose your health information to facilitate specified government functions relating to the military and veterans, national security and intelligence activities, protective services for the President and others, medical suitability determinations and inmates and law enforcement custody.

For worker's compensation. Avanti Health Systems may release your health information for worker's compensation or similar programs.

AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION

Other than is stated above, Avanti Health Systems will not disclose your health information other than with your written authorization. If you or your representative authorizes Avanti Health Systems to use or disclose your health information, you may revoke that authorization in writing at any time.

YOUR RIGHTS WITH RESPECT TO YOUR HEALTH INFORMATION

You have the following rights regarding your health information that Avanti Health Systems maintains.

Right to request restrictions. You may request restrictions on certain uses and disclosures of your health information. You have the right to request a limit on AHS's disclosure of your health information to someone who is involved in your care or the payment of your care. However, AHS is not required to agree to your request. If you wish

to make a request for restrictions, please contact the AHS Privacy Office at 715-561-3200 or the facility's social worker.

Right to receive confidential communications. You have the right to request that Avanti Health Systems communicate with you in a certain way. For example, you may ask that AHS only conduct communications pertaining to your health information with you privately with no other family members present. If you wish to receive confidential communications, please contact the AHS Privacy Office at 715-561-3200 or the facility's social worker. AHS will not request that you provide any reasons for your request and will attempt to honor your reasonable requests for confidential communications.

Right to inspect and copy your health information. You have the right to inspect and copy your health information, including billing records. A request to inspect and copy records containing your health information may be made to the AHS Privacy Office at 715-561-3200. If you request a copy of your health information, AHS may charge a reasonable fee for copying and assembling costs associated with your request.

Right to amend your health information. You or your representative have the right to request that Avanti Health Systems amend your records, if you believe that your health information records are incorrect or incomplete. That request may be made as long as the information is maintained by AHS. A request for an amendment of records must be made in writing to the AHS Privacy Office at 300 Villa Drive, Hurley, Wisconsin 54534. AHS may deny the request if it is not in writing or does not include a reason for the amendment. The request also may be denied if your health information records were not created by AHS, if the records you are requesting are not part of AHS's records, if the health information you wish to amend is not part of the health information you or your representative are permitted to inspect and copy, or if, in the opinion of AHS, the records containing your health information are accurate and complete.