



NOTICE OF PRIVACY PRACTICES FOR PROTECTED HEALTH INFORMATION

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.

A. INTRODUCTION

During the course of providing services and care to you, Caminar gathers, creates, and retains certain personal information about you that identifies who you are and relates to your past, present, or future physical or mental condition, the provision of health care to you, and payment for your health care services. This personal information is characterized as your “protected health information.” Protected health information consists of any information relating to your physical or mental health, to any health care provided to you, or to payment for such care and that either identifies you or provides information that can be used to identify you. This Notice of Privacy Practices describes how Caminar maintains the confidentiality of your protected health information, and informs you about the possible uses and disclosures of such information. It also informs you about your rights with respect to your protected health information.

B. CAMINAR’S RESPONSIBILITIES

Caminar is required by federal and state law to maintain the privacy of your protected health information. Caminar is also required by law to provide you with this Notice of Privacy Practices that describes Caminar’s legal duties and privacy practices with respect to your protected health information. Caminar will abide by the terms of this Notice. Caminar reserves the right to change this or any future Notice and to make the new notice provisions effective for all protected health information that it maintains, including protected health information already in its possession. If the change reflects a material change in its privacy policies and procedures, Caminar will provide the new Notice to you or your legal representative. In all other situations, it will provide you with the new Notice upon request. In addition, the new Notice will be posted in a clear and prominent place in the facility and on the Caminar website.

If you are conserved under the Lanterman-Petris-Short Act (LPS Act), California state law places special restrictions on the release of information and records obtained in the course of providing services for mental health and developmental disabilities that in some cases imposes greater restrictions on uses and disclosure of health information than is



required by federal law. Where requirements under California state law are more stringent than federal standards, Caminar will follow California law.

C. USE AND DISCLOSURE WITH YOUR AUTHORIZATION

Caminar will require a written authorization from you before it uses or discloses your protected health information, unless a particular use or disclosure is expressly permitted or required by law without your authorization. An authorization is generally required for the following uses or disclosures, except in very limited circumstances: (1) uses or disclosures of psychotherapy notes; (2) uses or disclosures of protected health information for marketing purposes; and (3) disclosures of protected health information that constitute its sale.

Caminar may disclose medical information about you to persons you authorize Caminar to communicate with. The extent of the disclosure will be determined by you.

Caminar has prepared an authorization form for you to use that authorizes Caminar to use or disclose your protected health information for the purposes set forth in the form. You are not required to sign the form as a condition to obtaining treatment or having your care paid for. If you sign an authorization, you may revoke it at any time by written notice. Caminar then will not use or disclose your protected health information, except where it has already relied on your authorization.

D. HOW CAMINAR MAY USE AND DISCLOSE YOUR PROTECTED HEALTH INFORMATION WITHOUT YOUR AUTHORIZATION

Caminar may use or disclose your protected health without your written authorization in the following circumstances:

1. Your Care and Treatment

Caminar may use or disclose your protected health information to provide you with or assist in your treatment, care and services. For example, Caminar may disclose your health information to health care providers who are involved in your care to assist them in your diagnosis and treatment, as necessary.

a. Text Messages – In almost all cases, Caminar prohibits workforce members from using text messages containing your protected health information. In rare circumstances and with strict protocols, Caminar caregivers may need to communicate with each other by text message to address an emergency involving you, and these messages may contain protected health information.



2. Billing and Payment

- a. Medicare, Medi-Cal and Other Public or Private Health Insurers – Caminar may use or disclose your protected health information to public or private health insurers (including medical insurance carriers, HMOs, Medicare, and Medi-Cal) in order to bill and receive payment for your treatment and services that you receive. For example, the information on or accompanying a bill may include information that identifies you, as well as your diagnosis, procedures, and supplies used.
- b. Health Care Providers – Caminar may also disclose your protected health information to health care providers in order to allow them to determine if they are owed any reimbursement for care that they have furnished to you and, if so, how much is owed.

3. Health Care Operations

Caminar may use your protected health information for its health care operations. These uses and disclosures are necessary to manage Caminar and to monitor our quality of services and care. For example, we may use your protected health information to review our services and to evaluate the performance of our staff in caring for you.

4. Individuals Involved in Your Care or Payment for Your Care

We may release medical information about you to the persons you authorize us to communicate with, or your legal representative. These names may include friends or family members who are involved in your medical care or someone who helps pay for your care. When allowed, we may also tell your family or friends your condition.

5. Workers' Compensation

Caminar may disclose your protected health information in order to comply with California workers' compensation laws.

6. Reporting

Caminar will disclose protected health information about a client who is suspected to be the victim of child, dependent adult, or elder abuse to the extent necessary to complete any oral or written report mandated by law. Under certain circumstances, Caminar may disclose further protected health information about the client to aid the investigating agency in performing its duties. Caminar will promptly inform the client about any disclosure unless Caminar believes that informing the client would place the client in danger of serious harm, or would be informing the client's legal representative, whom the Provider believes to be



responsible for the abuse, and believes that informing such person would not be in the client's best interest.

7. Legal Process

Caminar will disclose protected health information in accordance with an order of a court or of an administrative tribunal of a government agency. In addition, Caminar will disclose protected health information in accordance with a valid subpoena issued by a party to adjudication before a court, an administrative tribunal, or a private arbitrator. This includes involuntary commitment and conservatorship proceedings under the Lanterman-Petris-Short Act. Reasonable efforts will be made to notify you of the subpoena, or attempts will be made to obtain an order or agreement protecting your protected health information.

8. Law Enforcement Agencies and Officials

Caminar will disclose protected health information to law enforcement agencies in accordance with a search warrant, a court order or court-ordered subpoena, or an investigative subpoena or summons. In addition, it may disclose such information as necessary to assist law enforcement officials investigating crimes involving clients.

9. National Security and Intelligence Activities

Caminar will disclose protected health information about a client to authorized federal officials conducting national security and intelligence activities or as needed to protect federal and foreign officials.

10. Licensing, Certification, and Accreditation

Caminar may disclose your protected health information to any government or private agency, such as to the Medical Board of California, responsible for licensure or accreditation, so that the agency can carry out its oversight activities. These oversight activities include audits; civil, administrative, or criminal investigations; inspections; licensure or disciplinary actions; civil, administrative, or criminal proceedings or actions; or other activities necessary for appropriate oversight.

11. Public Health Activities

Caminar may disclose your protected health information to any public health authority that is authorized by law to collect it for purposes of preventing or controlling disease, injury, or disability.

12. Business Associates

Caminar may contract with certain individuals or entities, called "business associates," to provide services on its behalf. Examples include data processing,



quality assurance, legal, or accounting services. Caminar may disclose your protected health information to a business associate, as necessary, to allow the business associate to perform its functions. Caminar will have a contract with each business associate that obligate the business associate to maintain the confidentiality of your protected health information.

13. Marketing

Caminar may use protected health information or disclose it to business associates in certain limited circumstances in order to encourage you to use a service or product. This includes, for example, making face-to-face communications with you about the service or product, providing you with a promotional gift of nominal value, or communicating about drug refills. Otherwise, it will obtain a specific written authorization from you before using or disclosing protected health information for marketing purposes.

14. Fundraising

Caminar may use certain protected health information to contact you in an effort to raise money for Caminar and its operations. Caminar may disclose the protected health information to business associates or to related foundations that it uses to raise funds for its own benefit. The information to be used or disclosed for these purposes will be limited to certain demographic information, the dates of treatment, the department where services were provided, the treating physician, outcome information, and health insurance status. Each fundraising communication will provide a means by which you can opt out of receiving further such communications.

15. Sale of Protected Health Information

Caminar may disclose your protected health information for remuneration in certain very narrow circumstances such as where a governmental agency reimburses it for its expenses in providing information for public health purposes. Otherwise, it will obtain a specific written authorization from you or your legal representative before receiving reimbursement for using or disclosing your protected health information.

16. Coroner

Caminar will disclose protected health information to a coroner where the coroner requests the information to identify a decedent; to notify next of kin; or to investigate deaths that may involve public health concerns, suspicious circumstances, elder abuse, or organ or tissue donation. In other cases, Caminar may disclose protected health information to the coroner to allow the coroner to perform its duties.



17. Organ Procurement

If you are an organ donor, Caminar may disclose your protected health information following your death to an organ procurement agency or tissue bank in order to aid in using your organs or tissues in transplant.

18. Preventing Danger to Identified Persons

Caminar may disclose your protected health information to prevent an immediate, serious threat to the safety of an identified person.

19. Disaster Relief

Caminar may disclose your protected health information to a public or private entity authorized to assist in disaster relief efforts.

20. Research

Caminar may disclose your protected health information for research purposes, provided that an outside Institutional Review Board overseeing the research approves the disclosure of the information without a written authorization.

21. Hospital Peer Review

Caminar may disclose your protected health information to hospital medical staffs to aid in the credentialing of applicants and in the peer review of members.

22. Disclosures Otherwise Required by Law

Caminar will disclose protected health information about a client when otherwise required by law.

E. YOUR RIGHTS REGARDING PROTECTED HEALTH INFORMATION

You have the following rights with respect to your protected health information. To exercise these rights, contact Caminar, at 2600 El Camino Real, Suite 200, San Mateo, CA 94403, Attn: Karen Gianuario, Telephone: (650) 372-4080.

1. Right to Receive a Copy of the Notice of Privacy Practices

You have the right to request and receive a copy of Caminar's Notice of Privacy Practices for Protected Health Information in written or electronic form.

2. Right to Request Special Privacy Protections

You have the right to request restrictions on the use and disclosure of your protected health information for treatment, payment or health care operations, or providing notifications regarding your identity and status to persons inquiring about or involved in your care. Caminar is not required to grant your request



except where you ask it not disclose information to your health plan regarding care paid for by you or someone else out of pocket. Whenever the Provider agrees to comply with your request, it will do so, unless there is an emergency or until the Provider or you terminate the restriction. You also have the right to request that Caminar communicate protected health information to you or another recipient by alternative means or at alternative locations.

3. Right to Request Access

You have the right to inspect and copy your health records maintained by Caminar. This includes the right to have electronic records made available in electronic format to you or to someone whom you designate. In certain limited circumstances, Caminar may deny your request as permitted by law. However, you may be given an opportunity to have such denial reviewed by an independent licensed health care professional.

4. Right to Request Amendment

You have the right to request an amendment to your health records maintained by Caminar. If your request for an amendment is denied, you will receive a written denial, including the reasons for such denial, and an opportunity to submit a written statement disagreeing with the denial.

5. Right to an Accounting

You have the right to receive an accounting of disclosures of your protected health information created and maintained by Caminar over the six (6) years prior to the date of your request or for a lesser period of time. Caminar is not required to provide an accounting of certain routine disclosures or of disclosures of which you already are aware.

F. NOTIFICATION OF SECURITY BREACHES

Caminar will provide you with written notification in the event of a security breach involving your protected health information. The notification will describe what happened, the types of information involved, the steps that Caminar is taking to deal with the situation, what you should do to protect yourself against any harmful consequences, and contacts for obtaining further information.

G. COMPLAINTS

If you believe that your privacy rights have been violated, you may file a complaint with Caminar verbally by calling (650) 372-4080, anonymous and toll-free 1-844-628-4544, or in writing to Caminar, 2600 El Camino Real, Suite 200, San Mateo, CA 94403, Attn: Privacy Officer. You also have the right to submit a complaint to the Secretary of the U.S. Department of Health and Human Services, 90 7th Street, Suite 4-100, San



Francisco, CA 94103, Telephone: (415)437-8310, Fax: (415)437-8329, TDD: (415)437-8311, Attention OCR Regional Manager. **Caminar will not retaliate against you if you file a complaint.**

H. FURTHER INFORMATION

If you have questions about this Notice of Privacy Practices or would like further information about your privacy rights, contact Caminar at (650) 372-4080 or in writing to Caminar, 2600 El Camino Real, Suite 200, San Mateo, CA 94403, Attn: Privacy Officer.

The effective date of this Notice of Privacy Practices is January 2015.

I hereby acknowledge receipt from Caminar of a copy of its Notice of Privacy Practices for Protected Health Information effective on the date set forth above.

CLIENT

OR

LEGAL REPRESENTATIVE
(if signed on Client's behalf)

Signature of Client

Signature of Legal Representative

Print Name of Client

Print Name and Relationship to Client

Street

Street

City State Zip

City State Zip

Telephone

Telephone

Date

Date