

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.

This Notice is effective April 30, 2013

USE AND DISCLOSURE OF YOUR HEALTH INFORMATION

Tender Touch Atlanta, LLC. may use and disclose your health information for the purpose of providing you treatment, obtaining payment for your care, conducting health care operations, or as permitted by law. Your health information may be used or disclosed only after Tender Touch Atlanta Hospice has obtained your written authorization, or as authorized by state or federal law. Tender Touch Atlanta Hospice has established a policy to guard against unnecessary disclosure of your health information.

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

To Provide Treatment. Tender Touch Atlanta Hospice may use your health information to coordinate care and treatment within Tender Touch Atlanta Hospice and with others involved in your care and treatment activities, such as: your attending physician, members of Tender Touch Atlanta Hospice Interdisciplinary Team consisting of hospice physicians, social workers, chaplains, nurses, home health aides, volunteers, or other health care professionals who have agreed to assist Tender Touch Atlanta Hospice in coordinating your care. One example is physicians involved in your care will need information about you to prescribe appropriate medications. Tender Touch Atlanta Hospice may disclose your health care information to individuals outside of Tender Touch Atlanta Hospice involved in your care and treatment activities including family members, designated clergy, pharmacists, suppliers of medical equipment, or other health care professionals that Tender Touch Atlanta Hospice uses to coordinate your care.

To Obtain Payment. Tender Touch Atlanta Hospice may disclose your health information to collect payment from third parties for the care you receive from Tender Touch Atlanta Hospice. For example, Tender Touch Atlanta Hospice may be required by your health insurer to provide invoices or information regarding your health care status so that the insurer will reimburse you or Tender Touch Atlanta Hospice. Tender Touch Atlanta Hospice may need to obtain prior approval from your insurer and may need to explain to the insurer your need for hospice care and the services that will be provided to you. Tender Touch Atlanta Hospice may also disclose your health information to a health care provider outside of Tender Touch Atlanta Hospice for that health care provider's payment activities.

To Conduct Health Care Operations. Tender Touch Atlanta Hospice may use and disclose your health care information for its own operations in order to facilitate the function of Tender Touch Atlanta Hospice and as necessary to provide quality care to all of Tender Touch Atlanta Hospice patients. 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 patients 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, planning-related analyses, and formulary development.
- Business management and general administrative activities of Tender Touch Atlanta Hospice.
- Fundraising for the benefit of Tender Touch Atlanta Hospice and certain marketing activities.

Tender Touch Atlanta Hospice may disclose your health information to another health care provider for the health care operations of that health care provider if Tender Touch Atlanta Hospice and that health care provider has or had a relationship with you. The information disclosed will relate to that relationship and is for very limited purposes as permitted by law.

Tender Touch Atlanta Hospice may use your health information to evaluate staff performance, combine your health information with other Hospice patients in evaluating how to more effectively serve all Hospice patients, disclose your health information to Hospice staff and contracted personnel for training purposes, use your health information to contact you as a reminder regarding a visit to you, or contact you or your family as part of general fundraising and community information mailings. Please inform us if you do not want to be contacted.

For Tender Touch Atlanta Hospice Directory Purposes and to Family and Friends. Tender Touch Atlanta Hospice may disclose certain information to people inquiring about you by name, including your name, your general health status, your location in our facility or your location while you are under our care, or your religious affiliation. Your religious affiliation will only be provided to members of clergy and clergy do not have to ask for you by name. This information will be maintained in the Tender Touch Atlanta Hospice directory. Please inform us if you do not want your information to be given to others.

For Fundraising Activities. Tender Touch Atlanta Hospice may use information about you including your name, address, phone number, and the dates you received care at Tender Touch Atlanta Hospice in order to contact you or your family to raise money for Tender Touch Atlanta Hospice. Tender Touch Atlanta Hospice may also release this information to a related Hospice foundation. If you do not want Tender Touch Atlanta Hospice to contact you or your family, notify the contact person identified at the end of this document and indicate that you do not wish to be contacted.

USE AND DISCLOSURE OF YOUR PROTECTED HEALTH INFORMATION WITHOUT YOUR PERMISSION:

Federal privacy rules allow Tender Touch Atlanta Hospice to use or disclose your health information without your permission or authorization for the following reasons:

When Legally Required. Tender Touch Atlanta Hospice 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. Tender Touch Atlanta Hospice may disclose your health information for public activities and purposes in order to:

- Prevent, control, or report disease, injury, or disability, 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. Tender Touch Atlanta Hospice is allowed to notify government authorities if Tender Touch Atlanta Hospice believes a patient is the victim of abuse, neglect, or domestic violence. Tender Touch Atlanta Hospice will make this disclosure only when specifically required or authorized by law, or when the patient agrees to the disclosure.

To Conduct Health Oversight Activities. Tender Touch Atlanta Hospice may disclose your health information to a health oversight agency for activities including audits, civil, administrative, or criminal investigations, inspections, licensure, or disciplinary action. Tender Touch Atlanta Hospice, however, may not disclose your health information if you are the subject of an investigation and your health information is not directly related to your receipt of health care or public benefits.

In Connection With Judicial and Administrative Proceedings. Tender Touch Atlanta Hospice 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 Tender Touch Atlanta Hospice makes reasonable efforts to either notify you about the request or to obtain an order protecting your health information or as permitted by law.

For Law Enforcement Purposes. Tender Touch Atlanta Hospice may disclose your health information to an official of the law for law enforcement purposes as follows:

As required by law for reporting certain types of wounds or other physical injuries pursuant to the court order, warrant, subpoena, summons, or similar process.

- For the purpose of identifying or locating a suspect, fugitive, material witness, or missing person.
- Under certain limited circumstances, when you are the victim of a crime.
- If Tender Touch Atlanta Hospice has a suspicion that your death was the result of criminal conduct, including criminal conduct at Tender Touch Atlanta Hospice.
- In an emergency to report a crime.

To Coroners and Medical Examiners. Tender Touch Atlanta Hospice 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. Tender Touch Atlanta Hospice 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.

Tender Touch Atlanta Hospice may disclose your health information prior to and in reasonable anticipation of your death.

For Organ, Eye, or Tissue Donation. Tender Touch Atlanta Hospice 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. Tender Touch Atlanta Hospice may, under very select circumstances, use your health information for research. Tender Touch Atlanta Hospice will ask your permission if any researcher will be granted access to your individually identifiable health information.

In the Event of a Serious Threat to Health or Safety. Tender Touch Atlanta Hospice may, consistent with applicable law and ethical standards of conduct, disclose your health information if Tender Touch Atlanta Hospice, 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, Federal regulations authorize Tender Touch Atlanta Hospice to use or disclose your health information to facilitate specified government functions relating to 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. Tender Touch Atlanta Hospice may release your health information for worker's compensation or similar programs.

AUTHORIZATION TO USE OR DISCLOSE HEALTH INFORMATION

Other than what is stated above, Tender Touch Atlanta Hospice will not disclose your health information without your written authorization. If you, or your representative, authorize Tender Touch Atlanta Hospice 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 Tender Touch Atlanta Hospice 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 disclosures of your health information to those who are involved in your care or the payment of your care. However, Tender Touch Atlanta Hospice is not required to agree to your request. If you do not want certain information shared with others, you must make a request for a restriction. If you wish to make a request for restrictions, please contact the person listed at the end of this document.
- **Right to Receive Confidential Communications by Alternative Means or Location.** You have the right to request that Tender Touch Atlanta Hospice

communicate with you confidentially. For example, you may ask that Tender Touch Atlanta Hospice only conduct communications pertaining to your health information with you privately, with no other family members present. If you wish to receive confidential communications, notify the contact person listed at the end of this document. Tender Touch Atlanta Hospice 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 obtain a copy of your health information, including billing records, maintained in your designated record set. A request to inspect and copy records containing your health information may be made to the contact person listed at the end of this document. If you request a copy of your health information, Tender Touch Atlanta Hospice may charge a reasonable fee for copying and assembling your health records. In certain circumstances, we may deny your request to inspect and obtain a copy of your records.
- **Right to Amend Health Care Information.** If you, or your representative, believe that your health information records are incorrect or incomplete, you may request that Tender Touch Atlanta Hospice amend the records. That request may be made as long as the information is maintained by Tender Touch Atlanta Hospice. A request for an amendment of records must be made in writing to the contact person listed at the end of this document. Tender Touch Atlanta Hospice may deny the request if it is not in writing or does not include a reason for the amendment. The request may also be denied if your health information records were not created by Tender Touch Atlanta Hospice, if the records you are requesting are not part of Tender Touch Atlanta Hospice 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 Tender Touch Atlanta Hospice, the records containing your health information are accurate and complete.
- **Right to An Accounting.** You, or your representative, have the right to request an accounting of disclosures of your health information made by Tender Touch Atlanta Hospice for any reason other than for treatment, payment, or health operations. The request for an accounting must be made in writing to the contact person listed at the end of this document. The request should specify the time period for the accounting but may not include any periods prior to April 14, 2003. Accounting requests may not be made for periods of time in excess of six years. Tender Touch Atlanta Hospice 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. This accounting will contain only the information as required by law.
- **Right to a Paper Copy of This Notice.** You, or your representative will be provided with a copy of this notice upon admission to Tender Touch Atlanta Hospice, and also 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 our contact person listed at the end of this document. You or a representative may also obtain a copy of the current version of the Tender Touch Atlanta Hospice Notice of Privacy Practices at our website, www.tendertouchonline.com

DUTIES OF TENDER TOUCH ATLANTA HOSPICE

Tender Touch Atlanta Hospice is required by law to maintain the privacy of your health information and to provide to you and your representative this Notice of its duties and privacy practices. Tender Touch Atlanta Hospice is required to abide by terms of this Notice, as may be amended from time

to time. Tender Touch Atlanta Hospice 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 Tender Touch Atlanta Hospice changes its Notice, Tender Touch Atlanta Hospice will provide a copy of the revised Notice to you or your appointed representative if you request a copy. A copy of our current notice is also posted in our main office at 44 Broad Street NW Suite 501 Atlanta, GA 30303. You, or your personal representative, have the right to express complaints to Tender Touch Atlanta Hospice 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 Tender Touch Atlanta Hospice should be made in writing to our contact person identified at the end of this document. Tender Touch Atlanta Hospice 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

Tender Touch Atlanta Hospice contact person for all issues regarding patient privacy and your rights under the Federal Privacy Standards is the **Hospice Executive Director** (or designee) **at (404) 572-9966**