

HIPAA 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.

This notice is effective on date June 1, 2023

BRAZOS VALLEY HOSPITAL, LLC and CAPROCK PHYSICIANS, PLLC

If you have questions about this notice, please contact the person listed under “Whom to Contact” at the end of this notice.

SUMMARY

In order to provide you with benefits, the Health Insurance Portability and Accountability Act of 1996 (HIPAA) provides that if Brazos Valley Hospital, LLC, CapRock Urgent Care, LLC and/or Caprock Emergency Physicians PLLC (“CAPROCK HEALTH”) receives personal information about your health, from you, your physicians, and other healthcare providers and facilities, who provide you with health care services we are required to keep this information confidential. 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.

KINDS OF INFORMATION TO WHICH THIS NOTICE APPLIES

This notice applies to individually identifiable protected health information that is created or received by us and that relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual; and that identifies the individual, or for which there is a reasonable basis to believe the information can be used to identify the individual (hereinafter referred to as “protected health information”).

WHO MUST ABIDE BY THIS NOTICE

All employees, staff, students, volunteers and other personnel whose work involves one of the products covered under this notice and who are under the direct control of CAPROCK HEALTH must abide by this notice. 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 payment and operations activities as described below.

OUR LEGAL DUTIES

- We are required by law to maintain the privacy of your protected health information.
- We are required to provide this notice of our privacy practices and legal duties regarding protected health information to anyone who asks for it.
- We are required to abide by the terms of the notice that is currently in effect.

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 protected health information, which we already have, as well as to protected health information we receive in the future. Before we make any material change in the privacy practices described in this notice, we will write a new notice that includes the change. The new notice will include an effective date.

HOW WE MAY USE OR DISCLOSE YOUR PROTECTED HEALTH INFORMATION

We may use your protected health information, or disclose it to others, for several 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 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. Payment

We will use your protected health information, and disclose it to others, as necessary to bill you or your insurance carrier for the health care services you receive. For instance, an employee in the claim-processing department may use your protected health information to pay your claims. You may receive information about claims paid and claims denied (called an “explanation of benefits”). The explanation of benefits will include information about claims that were received for the Insured and each dependent who are enrolled together under a single contract or identification number. Under certain circumstances, you may receive this information confidentially: see the “Confidential Communication” section in this notice. We may also disclose some of your protected health information to companies with whom we contract for payment-related services. For instance, if you owe us money, we may give information about you to a collection company with whom we contract to collect bills for us. We will not use or disclose more information for payment purposes than is necessary.

2. Health Care Operation.

We may use and disclose your protected health information for activities that are necessary to operate this organization. This includes reading your protected health information to review the performance of our staff. We may also use your information to plan what services we need to provide, expand, or reduce. We may disclose your protected health information as necessary to others with whom we contract to provide administrative services. This includes our lawyers, auditors, state or federal agencies, accrediting agencies, and consultants, for instance.

3. Legal Requirement to Disclose Information.

We may use or 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 protected health information, and the information of others, if we are audited by the state insurance department or any insurance payor. We will also disclose

- your protected health information when we are required to do so by a court order or other judicial or administrative process.
4. **Public Health Activities.**
We will disclose your protected health information when required to do so for public health purposes. This includes reporting certain diseases, births, deaths, and reactions to certain medications. It also includes reporting certain information regarding products and activities regulated by the federal Food and Drug Administration. It may also include notifying people who have been exposed to a disease.
 5. **To Report Abuse.**
We may disclose your protected health information when the information relates to a victim of abuse, neglect or domestic violence. We will make this report only in accordance with laws that require or allow such reporting, or with your permission.
 6. **Government or Regulation Oversight.**
We may disclose your protected health information if authorized by law to a government oversight agency (e.g., Texas Department of State Health Services) conducting audits, investigations, or civil or criminal proceedings.
 7. **Judicial or Administrative Proceedings.**
We may disclose your protected health information in the course of a judicial or administrative proceeding (e.g., to respond to a subpoena or discovery request).
 8. **Coroners.**
We may disclose your protected health information to coroners, medical examiners, justices of the peace, law enforcement representatives, and/or funeral directors consistent with the law.
 9. **Organ Donation.**
We may use or disclose your protected health information for cadaveric organ, eye or tissue donation.
 10. **Workers' Compensation.**
We may disclose your protected health information to workers' compensation agencies if necessary for your workers' compensation benefit determination.
 11. **Limited Data Sets.**
We may use or disclose, under certain circumstances, limited amounts of your protected health information that is contained in limited data sets.
 12. **Research.**
We may use or disclose your protected health information for research purposes, but only as permitted by law.
 13. **Specialized Purposes.**
We may use or disclose the protected health information of members of the armed forces as authorized by military command authorities. We may disclose your protected 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 protected health information for national security, intelligence, and protection of the President.
 14. **To Avert a Serious Threat.**
We may use or disclose your protected 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.
 15. **Family and Friends.**
We may disclose your protected health information to a member of your family or to someone else that is involved in your medical care or payment for care. This may include telling a family member about the status of a claim, or what benefits you are eligible to receive, medical care rendered, diagnostic testing performed, diagnosis, outcome, or disposition as necessary. 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.
 16. **Referrals**
We may disclose your protected health information to a physician or medical practice that could be involved in your medical care. This may include sharing medical care rendered, diagnostic testing, diagnosis, outcome, demographics or disposition as necessary.

MORE STRINGENT LAW

In the event applicable law, other than the HIPAA Privacy Rule, prohibits or materially limits our uses and disclosures of protected health information, as set forth above, we will restrict our uses or disclosure of your protected health information in accordance with the more stringent standards.

1. **Authorization.**

We may use or disclose your protected health information for any purpose that is listed in this notice without your written authorization. We will not use or disclose your protected health information for any other reason without your written authorization. If you authorize us to use or disclose your protected 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 protected health information, or about how to revoke an authorization, contact the person listed under "Whom to Contact" at the end of the 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 or if the authorization was obtained as a condition of obtaining payment for services

rendered, and we have the right, under other law, to use your information to collect a debt.

2. **Request Restrictions**

You have the right to request restrictions on certain of our uses and disclosures of your protected health information for insurance payment or health care operation, disclosures made to persons involved in your care, and disclosures for disaster relief purposes. For example, you may request that we not disclose your protected health information to your spouse. Your request must describe in detail the restriction you are requesting. We will consider your request. But we are not required to agree. We cannot agree to restrict disclosures that are required by law. Should you request your information to not be released to your health insurance company for the purpose of collecting payment for services rendered then you will be responsible for all amounts due.

3. **Confidential Communication.**

If you believe that the disclosure of certain information could endanger you, you have the right to ask us to communicate with you at a special address or by a special means. For example, you may ask us to send explanations of benefits that contain your protected health information to a different address rather than to your home. Or you may ask us to speak to you personally on the telephone rather than sending your protected health information by mail. We will agree to any reasonable request. Requests for confidential communication must be in writing, it must state that the disclosure of the protected health information could endanger you; it must be signed by you or your representative, and sent to us at the address under “Whom to Contact” at the end of the notice.

4. **Inspect and Receive a Copy of Protected Health Information.**

You have a right to inspect certain protected 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 make decisions about you. If you want to review or receive a copy of these records, you must make the request in writing, you must state that you are requesting access to your protected health information and either you or your representative must sign the request. A medical records release form shall be completed and signed by you or your qualified legal representative. 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, or to receive a copy, contact us at the address under “Whom to Contact” at the end of this notice. We may deny you access to certain information. If we do, we will give you the reason, in writing.

5. **Amend Protected Health Information.**

You have the right to ask us to amend protected health information about you, which you believe is not correct, or not complete. If you want to request that we amend your protected health information you must make this request in writing, it must be signed by either you or your representative, and give us the reason you believe the information is not correct or complete. Your request to amend your information must be sent to the address under “Whom to Contact” at the end of this notice. 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 protected 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. To be considered, your accounting request must be in writing, signed by you or your representative and sent to the address under “Whom to Contact” at the end of this notice.

7. **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 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. All complaints must be in writing, must describe the situation giving rise to the complaint and must be filed within 180 days of the date you know, or should have known, of the event giving rise to the complaint. You will not be subject to any retaliation for filing a complaint.

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.

Administrator – CapRock Health
1630 Briarcrest Drive, Suite 100, Bryan, TX 77802
(979) 314-2323