

NOTICE OF PRIVACY PRACTICES

As Required by the Privacy Regulations Created as a Result of the Health Insurance Portability and Accountability Act of 1996 (HIPAA)

NOTICE TO CLIENT

This notice describes how medical information about you (as a client of this laboratory) may be used and disclosed, and how you can get access to this information. Please review this notice carefully:

- **OUR COMMITMENT TO YOUR PRIVACY**

Our laboratory is dedicated to maintaining the privacy of your protected health information (PHI). In conducting our business, we will create records regarding you and services we provide to you. We are required by law to maintain the confidentiality of health information that identifies you. We also are required by law to provide you with this notice of our legal duties and the privacy practices that we maintain in our laboratory concerning your PHI. By federal and state law, we must follow the terms of the notice of privacy practices that we have in effect at the time. We realize that these laws are complicated, but we must provide you with the following important information:

- How we may use and disclose your PHI
- Your privacy rights in your PHI
- Our obligations concerning the use and disclosure of your PHI

The terms of this notice apply to all records containing your PHI that are created or retained by our laboratory. We reserve the right to revise or amend this Notice of Privacy Practices at anytime without notice. Any revision or amendment to this notice will be effective for all of your records that our laboratory has created or maintained in the past, and for any of your records that we may create or maintain in the future. Our laboratory will post a copy of our current Notice on our Web site in an easily accessible location at all times, and you may request a copy of our most current Notice at any time.

IF YOU HAVE QUESTIONS ABOUT THIS NOTICE, PLEASE CONTACT:

Willow Laboratories
280 Union Street
Lynn, MA 01901
781.268.2400

- **WE MAY USE AND DISCLOSE YOUR PROTECTED HEALTH INFORMATION (PHI) IN THE FOLLOWING WAYS**

The following categories describe the different ways in which we may use and disclose your PHI.

- **Payment**
Our laboratory may use and disclose your PHI in order to bill and collect

payment for the services and items you may receive from us. For example, we may contact your health insurer to certify that you are eligible for benefits (and for what range of benefits), and we may provide your insurer with details to determine if your insurer will cover, or pay for, your tests. We also may use and disclose your PHI to obtain payment from third parties that may be responsible for such costs, such as family members. Also, we may use your PHI to bill you directly for services and items.

- **Health Care Operations**

Our laboratory may use and disclose your PHI to operate our business. As examples of the ways in which we may use and disclose your information for our operations, our laboratory may use your PHI to evaluate the quality of testing, or to conduct cost- management and business planning activities for our laboratory.

- **Release of Information**

Our laboratory may release your PHI to court appointed guardian who is legally involved in your care, or who assists in taking care of you.

- **Disclosures Required By Law**

Our laboratory will use and disclose your PHI when we are required to do so by federal, state or local law.

- **USE AND DISCLOSURE OF YOUR PHI IN CERTAIN SPECIAL CIRCUMSTANCES**

The following categories describe unique scenarios in which we may use or disclose your identifiable health information:

- **Public Health Risks**

Our laboratory may disclose your PHI to public health authorities that are authorized by law to collect information for purposes such as:

- maintaining vital records, such as births and deaths
- reporting child abuse or neglect
- preventing or controlling disease, injury or disability
- notifying a person regarding potential exposure to a communicable disease
- notifying a person regarding a potential risk for spreading or contracting a disease or condition
- reporting reactions to drugs or problems with products or devices
- notifying individuals if a product or device they may be using has been recalled
- notifying appropriate government agency(ies) and authority(ies) regarding the potential abuse or neglect of an adult patient (including domestic violence); however, we will only disclose this information if the patient agrees or we are required or authorized by law to disclose this information
- Notifying your employer under limited circumstances related primarily to workplace injury or illness or medical surveillance.

- **Health Oversight Activities**

Our laboratory may disclose your PHI to a health oversight agency for activities authorized by law. Oversight activities can include, for example, investigations, inspections, audits, surveys, licensure and disciplinary actions, civil, administrative, and criminal procedures or actions; or other activities

necessary for the government to monitor government programs, compliance with civil rights laws and the health care system in general.

- **Lawsuits and Similar Proceedings**

Our laboratory may use and disclose your PHI in response to a court or administrative order, if you are involved in a lawsuit or similar proceeding.

We also may disclose your PHI in response to a discovery request, subpoena, or other lawful process by another party involved in the dispute, but only if we have made an effort to inform you of the request or to obtain a court or administrative order protecting the information the party has requested.

- **Law Enforcement**

We may release PHI if asked to do so by a law enforcement official:

- Regarding a crime victim in certain situations, if we are unable to obtain the person's agreement
- Concerning a death we believe has resulted from criminal conduct
- Regarding criminal conduct at our offices
- In response to a warrant, summons, court order, subpoena or similar legal process
- To identify/locate a suspect, material witness, fugitive or missing person
- In an emergency, to report a crime (including the location or victim(s) of the crime, or the description, identity or location of the perpetrator)

- **Deceased Patients**

Our laboratory may release PHI to a medical examiner or coroner to identify a deceased individual or to identify the cause of death. If necessary, we also may release information in order for funeral directors to perform their jobs.

- **Organ and Tissue Donation**

Our laboratory may release your PHI to organizations that handle organ, eye or tissue procurement or transplantation, including organ donation banks, as necessary to facilitate organ or tissue donation and transplantation if you are an organ donor.

- **Serious Threats to Health or Safety**

Our laboratory may use and disclose your PHI when necessary to reduce or prevent a serious threat to your health and safety or the health and safety of another individual or the public. Under these circumstances, we will only make disclosures to a person or organization able to help prevent the threat.

- **Military**

Our laboratory may disclose your PHI if you are a member of U.S. or foreign military forces (including veterans) and if required by the appropriate authorities.

- **National Security**

Our laboratory may disclose your PHI to federal officials for intelligence and national security activities authorized by law. We also may disclose your PHI to federal officials in order to protect the President, other officials or foreign heads of state, or to conduct investigations.

- **Inmates**

Our laboratory may disclose your PHI to correctional institutions or law enforcement officials if you are an inmate or under the custody of a law enforcement official.

Disclosure for these purposes would be necessary: (a) for the institution to provide health care services to you, (b) for the safety and security of the institution, and/or (c) to protect your health and safety or the health and safety of other individuals.

- **Workers' Compensation**
Our laboratory may release your PHI for workers' compensation and similar programs.
- **YOUR RIGHTS REGARDING YOUR PHI**
 - **Confidential Communications**
You have the right to request that our laboratory communicate with you about your health and related issues in a particular manner or at a certain location. For instance, you may ask that we contact you at home, rather than work. In order to request a type of confidential communication, you must make a written request to: **Chief Operating Officer, Willow Laboratories, 280 Union Street, Lynn, MA 01901**, specifying the requested method of contact, or the location where you wish to be contacted. Our laboratory will accommodate reasonable requests. You do not need to give a reason for your request.

Requesting Restrictions

You have the right to request a restriction in our use or disclosure of your PHI for treatment, payment or health care operations. Additionally, you have the right to request that we restrict our disclosure of your PHI to only certain individuals involved in your care or the payment for your care, such as family members and friends. We are not required to agree to your request; however, if we do agree, we are bound by our agreement except when otherwise required by law, in emergencies, or when the information is necessary to treat you. In order to request a restriction in our use or disclosure of your PHI, you must make your request in writing to:

Chief Operating Officer
Willow Laboratories
280 Union Street
Lynn, MA 01901

Your request must describe in a clear and concise fashion:

- the information you wish restricted;
- whether you are requesting to limit our laboratory's use, disclosure or both; and
- To whom you want the limits to apply.

Inspection and Copies

You have the right to inspect and obtain a copy of the PHI that may be used to make decisions about you, including patient medical records and billing records. You must submit your request in writing to:

Chief Operating Officer
Willow Laboratories

280 Union Street
Lynn, MA 01901

in order to inspect and/or obtain a copy of your PHI. Our laboratory may charge a fee for the costs of copying, mailing, labor and supplies associated with your request. Our laboratory may deny your request to inspect and/or copy in certain limited circumstances; however, you may request a review of our denial. Another licensed health care professional chosen by us will conduct reviews.

Amendment

You may ask us to amend your health information if you believe it is incorrect or incomplete, and you may request an amendment for as long as the information is kept by or for our laboratory. To request an amendment, your request must be made in writing and submitted to

Chief Operating Officer
Willow Laboratories
280 Union Street
Lynn, MA 01901

You must provide us with a reason that supports your request for amendment. Our laboratory will deny your request if you fail to submit your request (and the reason supporting your request) in writing. Also, we may deny your request if you ask us to amend information that is in our opinion: (a) accurate and complete; (b) not part of the PHI kept by or for the laboratory; (c) not part of the PHI which you would be permitted to inspect and copy; or (d) not created by our laboratory, unless the individual or entity that created the information is not available to amend the information.

Accounting of Disclosures

All of our patients have the right to request an “accounting of disclosures.” An “accounting of disclosures” is a list of certain non-routine disclosures our laboratory has made of your PHI for operations purposes. Use of your PHI as part of the routine testing in our laboratory is not required to be documented. For example, the technician sharing information with the office staff; or the billing department using your information to file your insurance claim. In order to obtain an accounting of disclosures, you must submit your request in writing to

Chief Operating Office
Willow Laboratories
280 Union Street
Lynn, MA 01901

All requests for an “accounting of disclosures” must state a time period, which may not be longer than six (6) years from the date of disclosure and may not include dates before April 14, 2003. The first list you request within a 12- month period is free of charge, but our laboratory may charge you for additional lists within the same 12- month period. Our laboratory will notify you of the costs involved with additional requests, and you may withdraw your request before you incur any costs.

- **Right to a Paper Copy of This Notice**
You are entitled to receive a paper copy of our notice of privacy practices. You may ask us to give you a copy of this notice at any time. To obtain a paper copy of this notice, contact
COO - Willow Laboratories
280 Union Street
Lynn, MA 01901
- **Right to File a Complaint**
If you believe your privacy rights have been violated, you may file a complaint with our laboratory or with the Secretary of the Department of Health and Human Services. To file a complaint with our laboratory, contact
COO - Willow Laboratories
280 Union Street
Lynn, MA 01901
All complaints must be submitted in writing. **You will not be penalized for filing a complaint.**
- **Right to Provide an Authorization for Other Uses and Disclosures**
Our laboratory will obtain your written authorization for uses and disclosures that are not identified by this notice or permitted by applicable law. Any authorization you provide to us regarding the use and disclosure of your PHI may be revoked at any time in writing. After you revoke your authorization, we will no longer use or disclose your PHI for the purposes described in the authorization. Please note we are required to retain records of your care.

Again, if you have any questions regarding this notice or our health information privacy policies, please contact

Chief Operating Office
Willow Laboratories
280 Union Street
Lynn, MA 01901
781.268.2400