This notice is required by the Privacy Regulations adopted pursuant to the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) as amended by the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH) and as further amended on Jan. 17, 2013, under the Omnibus Rule of 2013. This notice describes how medical information about your child may be used and disclosed, and how you can get access to this information. Review carefully. The effective date of this notice was April 14, 2003, and has been revised effective July 1, 2013.

Who will follow this notice:
This notice describes the privacy practices of Children’s related to medical information generated at Children’s. This notice applies to Children’s and:

- All departments and units of Children’s.
- Any member of a volunteer group we allow to help you or your child while your child is at Children’s.
- All employees, professional staff and other personnel at Children’s.
- Business associates of Children’s, such as patient safety organizations, health information organizations or providers of data transmission services.
- Children’s entities that will abide by this notice include, but are not limited to:
  - Eggleston hospital and affiliated locations
  - Hughes Spalding hospital and HOSC Inc.
  - Scottish Rite hospital and affiliated locations
  - Marcus Autism Center
  - Children’s Healthcare of Atlanta Foundation
  - Children’s Surgery Center at Meridian Mark
  - Children’s Specialty Services
  - Other entities affiliated with Children’s

* This notice is written using the subject “your child.” For emancipated minors or patients older than 18 years of age and for employees at Children’s receiving care from Employee Health, this notice also applies and, in these situations, “you” should be substituted for “your child.”

Entries that are not part of Children’s, but are integral to the care of patients and include but are not limited to: the Emory Clinic, Children’s Diagnostic Imaging Associates and Pediatric Emergency Medical Associates. Information may be shared among these entities for treatment, payment or hospital operations purposes, according to written agreements that require these entities to treat the information as confidential. In addition, Children’s and members of our Medical Staff participate in the organized healthcare arrangement described below. Children’s and members of the Medical Staff may share information about patients with each other as necessary to carry out their treatment, payment and healthcare operations related to the organized healthcare arrangement.

OUR PLEDGE REGARDING MEDICAL INFORMATION:
We understand that medical information about your child and your child’s health is personal. We are committed to protecting medical information about your child and to providing the care and services you receive at Children’s. We need this record to provide your child with quality care and to comply with certain legal requirements. This notice applies to all of the records of protected health information that we create or receive for your child, whether made by Children’s personnel or your child’s personal doctor while at Children’s. Your child’s personal doctor and other doctors involved in your child’s care may have different policies or notices regarding the doctor’s use and disclosure of your child’s medical information created in the doctor’s office.

This notice will tell you about the ways in which we may use and disclose medical information about your child. We will also describe your rights and certain obligations we have regarding the use and disclosure of medical information.

We are required by law to:
- Make sure medical information that identifies your child is kept private;
- Give you this notice of our legal duties and privacy practices with respect to medical information about your child; and
- Follow the terms of the notice that is currently in effect.

How we may use and disclose medical information about your child:
The following categories describe different ways that we use and disclose medical information. For each category of uses or disclosures, we will explain what we mean and try to give some examples. Not every use or disclosure in a category will be listed.

1. Treatment. We may use medical information about your child to provide your child with medical treatment or services. We may disclose medical information about your child to doctors, nurses, technicians or other personnel at Children’s (employed or approved by Children’s) to participate in patient care at Children’s who are involved in taking care of your child at Children’s. For example, a doctor treating your child for a broken leg may need to know if your child has diabetes because diabetes may slow the healing process. In addition, the doctor may need to tell the doctor if your child has diabetes so we can arrange for appropriate meals. Different departments at Children’s also have the opportunity to learn medical information about your child in order to coordinate the care your child needs, such as prescribed medications, X-rays and work and X-rays. We may also use and disclose medical information about your child to a person authorized by you to act on behalf of your child. We may disclose information about your child’s care to any doctor identified as a provider of medical care to your child, even if that doctor is not a direct participant in a given episode of care at Children’s. It is not required for Children’s to provide information about your child’s care to your child’s primary care provider. Children’s believes that family support is important to the care of a child. Accordingly, at Children’s and with the consent of parents and guardians, Children’s may provide support services to parents and guardians for the care of a child. Children’s may provide support services to parents and guardians for the care of a child.

2. Payment. We may use and disclose medical information about your child so that the treatment and services your child receives at Children’s may be billed and payment may be collected from you, an insurance company or a third party. For example, we may need to give your health plan information about a procedure your child received at Children’s so your health plan will pay Children’s or reimburse you. We also may tell your health plan about a treatment your child is going to receive to obtain prior approval or to determine whether your plan will cover the treatment.

3. For healthcare operations. We may use and disclose medical information about your child for hospital operations. These uses and disclosures are necessary to run Children’s and make sure all of our patients receive the best quality care. For example, we may use medical information to review our treatment and services and to evaluate the performance of our staff in caring for your child. We also may combine medical information about you and your child with similar information from other patients to compare how hospitals are doing and see where we can make improvements in the care and services we offer. We may remove information that identifies your child so others may use the medical information for healthcare research. Your child’s personal doctor and Children’s patients may decide what additional services Children’s should offer, what services are not needed, and whether certain new treatments are effective. We also may disclose information about you if Business associates of Children’s, such as nurses, technicians, medical students and other Children’s personnel for review and learning purposes. We also may combine the medical information we have with medical information from other healthcare providers to compare how we are doing. We may use information for research. If any research involves a breach of confidentiality, we will follow the terms of the notice that is currently in effect.

4. With the Children’s medical staff. Children’s and other healthcare providers who are members of the Children’s medical staff work together in an organized healthcare arrangement to provide medical services to patients. These teams may share patient health information with other members of the organized healthcare arrangement to improve care for your child.

5. Business associates. During the course of providing treatment to your child, obtaining payment for your child’s care and conducting normal hospital operations, Children’s works with business associates. For example, Children’s works with computer software and hardware companies. Though every reasonable attempt will be made by Children’s to limit access by business partners to patient information, it is impossible to prevent all such access. Therefore, Children’s requires of all business partners contractual agreements that require these business partners to limit their access to patient information to that which is necessary or unavoidable. Furthermore, our contracts with business partners require that all access to patient information that does occur will be managed according to strict principles of confidentiality and privacy. These partners are required to follow the same privacy laws as Children’s, including protecting your information and taking appropriate measures in the event of a breach.

6. Appointment reminders. Children’s may use and disclose medical information to contact you as a reminder that your child has an appointment for treatment or medical care at Children’s.

7. Treatment alternatives. We may use and disclose medical information to tell you about or recommend possible treatment options or alternatives that our staff have determined to possibly be of benefit to you.

8. Children’s services. We may use medical information about your child to generate notices of additional services available to your child at Children’s.

9. Marketing activities. We must also obtain your written permission (authorization) prior to using your public health information (PHI) to send you marketing materials. We may not send you marketing materials without your written authorization. However, we may communicate with you about some products or services related to your treatment, case management, care coordination, alternative treatments, therapies, healthcare providers or care settings without your permission. Marketing activities do not include a communication made to you to provide refill reminders or
10. Fundraising activities. We may use your child's demographic information, the dates on which your child was treated at Children's, the department in which your child was treated, the outcome of your child's treatment, the diagnosis related group or category of the procedure performed, and the primary purpose of treatment for substance abuse or psychiatric-related conditions. All research projects must be approved by our Institutional Review Board. These studies will not affect your child's treatment or welfare, and your child's medical information will continue to be protected. We may use your child's demographic information as well as any health information you provide to us for the purpose of communicating about a product or service, such communication also requires your prior authorization.

11. The Children's directory. We may include certain limited information about your child in the Children's directory while your child is a patient at Children's. This information may include your child's name, date of birth, sex, location in Children's and your family's religious affiliation. The directory information, except for religious affiliation, also may be released to people who ask for your child by name. Your religious affiliation may be given to clergy members, such as a priest or rabbi, even if they do not ask for your child by name. Your child's name, date of birth, religion, and sex may also be released to someone asking about your child, if you have authorized your child to be designated as a “privacy patient.” You may do this by simply asking your child's nurse to place such a designation by your child's name in the Children's computer system. The primary purpose of treatment for substance abuse or psychiatric-related concerns will be necessary, for example, to identify a deceased person or determine the cause of death. We may also disclose this same information to the Children's Foundation so that the Foundation may contact you in raising money for Children's and its operations. We may disclose this same information to the Children's Foundation and/or other organizations which may conduct fundraising for Children's. If you do not want Children's to contact you for fundraising efforts, you have the right to opt-out of these communications.

12. Media of the member. A one-word condition and location of your child's name will be released to members of the media only if the inquiry specifically contains your child's name. No information will be given to a member of the media if a request does not include your child's name.

13. Individuals involved in your child's care. We may release medical information about your child to a friend or family member who is actively involved in taking care of your child. We may also release your child's medical information to someone who helps pay for your child's care. This would be the minimum information necessary to facilitate payment.

14. Disaster relief. We may disclose medical information about your child to any entity assisting in a disaster relief effort so that your family can be notified about your child's condition, status and location.

15. Research. Under certain circumstances, we may use and disclose medical information from your child for research purposes. For example, a research project may involve comparing the health and recovery of all patients who received one medicine to those who received another, for the same condition. All research projects must be approved through a special approval process. Uses and disclosures of medical information about your child for research purposes fall under specific rules established to protect the privacy of medical information, and to permit researchers to conduct research. Federal law allows us to use and disclose your child's medical information for research without your authorization provided we get approval from the special review board. The research will not affect your child's treatment or welfare, and your child's medical information will continue to be protected. We may disclose medical information about your child to researchers preparing research proposals, and to researchers who are preparing, conducting, or reviewing a research project. For example, researchers may review research patient records to help them determine if a particular research project will be successful. We always require that researchers honor the confidential nature of your child's medical information. Finally, it is required that all approved research studies that are published remove specific identifiers from the results, that is, in no way will a reader of the published research be able to identify your child with the medical information included in the publication.

16. As required by law. We will disclose medical information about your child when required to do so by federal, state or local law.

17. To avert a serious threat to health or safety. We may use and disclose medical information about your child when necessary to prevent a serious threat to health and safety or the health and safety of others. Any disclosure, however, would only be to someone able to help prevent the threat. For example, if the Emergency department of another hospital calls Children's and requires information about your child to treat your child in an emergency, the necessary information will be released to that emergency department. Special situations: 18. Psychotherapy notes. Psychotherapy notes are records created by mental health professionals for the purpose of documenting or analyzing the contents of conversation during a private counseling, group, joint or family therapy session involving you and/or your treatment. Psychotherapy notes are separated from the rest of the your medical record and exclude medication prescription and other treatment information. This protection applies to psychotherapy notes and applies to progress to date. Psychotherapy notes may not be disclosed without your authorization except in the following limited circumstances:

• Use or disclosure in supervised mental health training programs for students, trainees or practitioners;

• Use or disclosure by the covered entity to defend a legal action or other proceeding brought by the individual;

• Use or disclosure that is required by law;

• Use or disclosure that is permitted;

• For consultation and oversight of the psychotherapist who made the notes; and

• To prevent or lessen a serious and imminent threat to your health and safety and for the health and safety of the public.

19. Organ and tissue donation, implants and selected pharmaceutical recipients. If your child is an organ donor, we may release medical information to transplant centers and recipients of organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation. If your child is the recipient of a transplant, we may release selected pharmaceutical information to the transplant program involved in a safety review of the recipient.

20. Military and veterans. If you are a member of the armed forces, we may release medical information about your child as required by military command authorities. We also may release medical information about foreign military personnel to the appropriate foreign military authorities.

21. Workers’ compensation. We may release medical information about your child for workers' compensation or similar programs. These programs are designed to help people who have been injured to receive the care that they need. We may disclose medical information about your child to workers' compensation carriers.

22. Public health activities. We may disclose medical information about your child for public health activities. These activities generally include the following:

• To prevent or control disease, injury or disability;

• To report reactions to medications or products with problems;

• To notify people of recalls of products they may be using;

• To notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition;

• To notify health authorities of a disease or condition;

• To remove or reuse human organs or tissue.

23. Health oversight activities. We may disclose medical information to a health oversight agency for activities authorized by law. These oversight activities include activities authorized by Congress and its delegates, courts, and law enforcement officials.

24. Law enforcement. We may release medical information if asked to do so by a law enforcement official:

• In response to a court order, subpoena, warrant, summons or similar process;

• To identify or locate a suspect, fugitive, material witness or missing person;

• To investigate a crime if, under certain limited circumstances, we are unable to obtain the person's agreement;

• About a death we believe may be the result of criminal conduct;

• About criminal conduct at Children's;

• In emergency circumstances to report a crime, the location of the crime or victims, or the identity, description or location of the person who committed the crime.

25. Workers' compensation.

26. Coroners, medical examiners and funeral directors. We may release medical information about a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. We may also release medical information about Children's patients to funeral directors as necessary to carry out their duties.

27. National security and intelligence activities. We may release medical information about your child to authorized federal officials for intelligence, counterintelligence and other national security activities authorized by law.

28. Protective services for the president and others. We may disclose medical information about your child to authorized federal officials if they may provide protection to the President, other authorized persons or foreign heads of state or to conduct special investigations.

29. Inmates. If your child is an inmate of a correctional institution or under the custody of a law enforcement official, we may release medical information about your child to the correctional institution or law enforcement official. This release would be necessary: (1) for the institution to provide your child with healthcare; (2) to protect your child's health and safety and the health and safety of others; and (3) for the security of the inmates housed in the correctional institution.

30. Breaches. In the event of a known or suspected violation of your privacy, we may disclose facts, including some patient information to you, investigating authorities, and/or the U.S. Department of Health and Human Services. We may also share information regarding the breach with the news media, but would not provide them with any identifiable information about you or your child.
31. Health information exchange. Children’s participates in certain electronic Health Information Exchanges (HIEs) which allow your child’s medical information to be shared electronically with other hospitals, doctors, and/or medical persons or facilities involved in your child’s treatment. We may share clinical information with other providers including our partners and third parties, such as Spalding or Scottish Rite hospital (or his/her designee). If you request a copy of the information, we may charge a fee for the costs of copying, mailing or other supplies associated with your request. We may deny your request to inspect and copy in certain, very limited circumstances. If you request to inspect and copy information maintained on a computer, we may not amend the information to correct inaccuracies that you believe are incorrect. You may request an amendment under 45 CFR 164.526.

2. Right to request third-party disclosure. You have the right to request that information regarding your child be sent to a third party. Your request must be signed, in writing and must clearly designate the third party to whom Children’s should release the requested information. We may charge a fee for the costs of copying, mailing or other supplies associated with your request.

3. Right to amend. If you feel that medical information we have about your child is incorrect or incomplete, you may ask us to change the information. Due to the technology used to store information and the laws requiring information is kept by or for Children’s. To request a change, your request must be made in writing and submitted to the Children’s privacy officer. Your request for amendment must provide a reason to support your request; outlining what information needs to be changed and why the information is incorrect. We may deny your request for a change if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend that:

- Was not created by us, unless the person or entity that created the information was not able to make the requested amendment.
- Is not part of the medical information kept by or for Children’s.
- Is not part of the information which you would be permitted to inspect and copy, or
- Is already accurate and complete.

If your request if denied, Children’s will send communication of the denial in written form to the person who made the request. We will send the notice to the person who made the request. We will send the notice at our website, choa.org, or to obtain a paper copy of this notice, contact the Children’s privacy officer.

4. Right to accounting of disclosures. You have the right to request an accounting of disclosures. This is a list of the disclosures we made of medical information about your child. Exceptions: Disclosures as a result of a valid authorization and disclosure to individuals involved in activities 1 to 17, 23, 25 and 30 above may not be available (every therapist, nurse, etc. involved in your child’s care, every audit of care provided, etc.) and may not be the account of care provided to you. To request this list or account of disclosures, you must submit your request in writing to the Children’s privacy officer. Your request must state a time period, which may not be longer than six years and may not include dates before April 26, 2003. The first list you request within a 12-month period will be free of charge. For additional lists, we may charge you for the costs of providing the list, and you may choose to withdraw or modify your request at that time—before any costs are incurred.

5. Right to request restrictions. You have the right to request a restriction or limitation on the medical information we use or disclose about your child to a healthcare item or service for which you have paid out-of-pocket in full. To request restrictions, you must make your request in writing to the Children’s privacy officer. Your request must tell us: (1) what information you want to limit, (2) whether you want to limit our use, disclosure or both; and (3) to whom you want the limits to apply.

6. Right to request confidential communications. You have the right to request that we communicate with you about your child’s medical matters in a certain way or at a certain location. For example, you can ask that we only contact you at work or by mail. We will make reasonable efforts to comply. We reserve the right to take back our agreement should we feel this is necessary to protect your child. To request confidential communications, you must make your request in writing to the Children’s privacy officer. We will not ask you for the reason for your request. We will make reasonable efforts to accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

7. Right to a paper copy of this notice. You have the right to a paper copy of this notice. You may ask us to give you a copy of this notice at any time. Even if you have agreed to receive this notice electronically, you are still entitled to a paper copy of this notice. You may obtain a paper copy of this notice at our website, choa.org, or to obtain a paper copy of this notice, contact the Children’s privacy officer.

8. Right to be notified following a breach of unsecured medical information. You have a right to and will receive notifications of breaches affecting your medical information. A breach of unsecured medical information is when medical information not covered by this notice is used or disclosed in a manner not permitted under HIPAA. If this occurs, you will be provided with a written notice of the breach, your rights under the notice and the address of either Eggleston, Hughes Spalding or Scottish Rite hospital.

All complaints must be in writing. You may also send a written complaint to the U.S. Department of Health and Human Services at: Region IV Office for Civil Rights, DHHS 61 Forsyth Street, SW, Suite 1670 Atlanta, GA 30303-8909 FAX (404) 562-7881

Complaints filed directly with the Secretary of the Department of Health and Human Services must: (1) be in writing; (2) contain the name of the entity against which the complaint is lodged; (3) describe the relevant problems; (4) state the date or dates involved; (5) describe what action you want us to take and the time within 180 days of the time you became or should have become aware of the problem.

Neither nor your child will be penalized in any way for filing a complaint.

Other uses of medical information: The information not covered by this notice or state or federal laws that apply to Children’s will be made only with your written permission. If you provide us permission to use or disclose your child’s medical information, we will not use or disclose medical information for the reasons covered by your written authorization. If you request that we do not use or disclose your child’s unsecured protected health information in a manner not permitted under HIPAA. If this occurs, you will be provided with a written notice of the breach, your rights under the notice and the address of either Eggleston, Hughes Spalding or Scottish Rite hospital.

Children's Healthcare of Atlanta at Hughes Spalding is owned by the Fulton-DeKalb Hospital Authority and managed by HSDOC Inc., an affiliate of Children’s.

The Surgery Center at Meridian Mark Plaza LLC has an affiliation of Children’s Healthcare of Atlanta, which is a minority owner with Scottish Rite as the majority owner and physician investors as partners.

Some physicians and affiliated healthcare professionals on the Children’s Healthcare of Atlanta team are independent providers and are not our employees.

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