

PRIVACY NOTICE

THIS NOTICE DESCRIBES HOW YOUR HEALTH INFORMATION MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THAT INFORMATION.

PLEASE REVIEW THIS NOTICE CAREFULLY.

Surya Physicals, PC is committed to maintaining the privacy of your Protected Health Information ("PHI"), which includes information about your, medical condition and the care and treatment you receive from Surya Physicals, PC and other health care providers. This Notice details how your PHI may be used and disclosed to third parties for purposes of your care, payment for your care, health care operations of Surya Physicals, PC, and for other purposes permitted or required by law. This Notice also details your rights regarding your PHI.

USE OR DISCLOSURE OF PHI:

1. Surya Physicals, PC may use and/or disclose your PHI for purposes related to your care, payment for your care, and health care operations of Surya Physicals, PC. The following are examples of the types of uses and/or disclosures of your PHI that may occur. These examples are not meant to include all possible types of use and/or disclosure.
 - a) **Care** - In order to care for you, Surya Physicals, PC will provide your PHI to those health care professionals, whether on Surya Physicals, PC's staff or not, directly involved in your care so that they may understand your medical condition and needs and provide advice or treatment. For example, a physician treating you for a condition such as arthritis may need to know what medications have been prescribed for you by Surya Physicals, PC's physicians.
 - b) **Payment** — In order to get paid for some or all of the health care provided by Surya Physicals, PC, Surya Physicals, PC may provide your PHI, directly or through a billing service, to appropriate third party payors. For example, Surya Physicals, PC may need to provide the Medicare Program with information about health care services that you receive from Surya Physicals, PC so that Surya Physicals, PC can be properly reimbursed.
 - c) **Health Care Operations** - In order for Surya Physicals, PC to operate in accordance with applicable law and in order for Surya Physicals, PC to provide quality and efficient care, it may be necessary for Surya Physicals, PC to compile, use and/or disclose your PHI. For example, Surya Physicals, PC may use your PHI in order to evaluate the performance of Surya Physicals, PC's personnel.

AUTHORIZATION NOT REQUIRED:

1. Surya Physicals, PC may use and/or disclose your PHI, without a written Authorization from you, in the following instances:
 - a) **De-identified Information** — Your PHI is altered so that it does not identify you and, even without your name, cannot be used to identify you.
 - b) **Business Associate** — To a business associate, which is someone who Surya Physicals, PC contracts with to provide a service necessary for your treatment, payment for your treatment and health care operations (e.g., billing service). Surya Physicals, PC will obtain satisfactory written assurance, in accordance with applicable law, that the business associate will appropriately safeguard your PHI.
 - c) **Personal Representative** — To a person who, under applicable law, has the authority to represent you in making decisions related to your health care.
 - d) **Public Health Activities** — Such activities include, for example, information collected by a public health authority, as authorized by law, to prevent or control disease, injury or disability.
 - e) **Federal Drug Administration** — If required by the Food and Drug Administration to report adverse events, product defects or problems or biological product deviations, or to track products, or to enable product recalls, repairs or replacements, or conduct post marketing surveillance.
 - f) **Abuse, Neglect or Domestic Violence** — To a government authority if Surya Physicals, PC is required by law to make such disclosure. If Surya Physicals, PC is authorized by law to make such a disclosure, it will do so if it believes that the disclosure is necessary to prevent serious harm or if Surya Physicals, PC believes that you have been the victim of abuse, neglect or domestic violence. Any such disclosure will be made in accordance with the requirements of law, which may also involve notice to you of the disclosure.
 - g) **Health Oversight Activities** — Such activities, which must be required by law, involve government agencies involved in oversight activities that relate to the health care system, government benefit programs, government regulatory programs and civil rights law. Those activities include, for example, criminal investigations, audits, disciplinary actions, or general oversight activities relating to the community's health care system.
 - h) **Judicial and Administrative Proceeding** — For example, Surya Physicals, PC may be required to disclose your PHI in response to a court order or a lawfully issued subpoena.
 - i) **Law Enforcement Purposes** — In certain instances, your PHI may have to be disclosed to a law enforcement official for law enforcement purposes. Law enforcement purposes include:
 - Complying with a legal process (i.e., subpoena) or as required by law
 - Information for identification and location purposes (e.g., suspect or missing person)
 - Information regarding a person who is or is suspected to be a crime victim
 - In situations where the death of an individual may have resulted from criminal conduct
 - In the event of a crime occurring on the premises of Surya Physicals, PC
 - A medical emergency (not on Surya Immediate Medical Care's premises) has occurred, and it appears that a crime has occurred
 - j) **Coroner or Medical Examiner** — Surya Physicals, PC may disclose your PHI to a coroner or medical examiner for the purpose of identifying you or determining your cause of death, or to a funeral director as permitted by law and as necessary to carry out its duties.
 - k) **Organ, Eye or Tissue Donation** — If you are an organ donor, Surya Physicals, PC may disclose your PHI to the entity to whom you have agreed to donate your organs.
 - l) **Research** — If Surya Physicals, PC is involved in research activities, your PHI may be used, but such use is subject to numerous governmental requirements intended to protect the privacy of your PHI such as approval of the research by an institutional review board and the requirement that protocols must be followed.
 - m) **Avert a Threat to Health or Safety** — Surya Physicals, PC may disclose your PHI if it believes that such disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public and the disclosure is to an individual who is reasonably able to prevent or lessen the threat.
 - n) **Specialized Government Functions** — When the appropriate conditions apply, Surya Physicals, PC may use PHI of individuals who are Armed Forces personnel:
 - For activities deemed necessary by appropriate military command authorities
 - For the purpose of a determination by the Department of Veteran Affairs of eligibility for benefits
 - To a foreign military authority if you are a member of that foreign military service
 - To authorized federal officials for conducting national security and intelligence activities including the provision of protective services to the President, or Practice Manager or others legally authorized.
 - o) **Inmates** — Surya Physicals, PC may disclose your PHI to a correctional institution or a law enforcement official if you are an inmate of that correctional facility and your PHI is

necessary to provide care and treatment to you or is necessary for the health and safety of other individuals or inmates.

- p) **Workers' Compensation** — If you are involved in a Workers' Compensation claim, Surya Physicals, PC may be required to disclose your PHI to an individual or entity that is part of the Workers' Compensation system.
- q) **Disaster Relief Efforts** — Surya Physicals, PC may use or disclose your PHI to a public or private entity authorized to assist in disaster relief efforts.
- r) **Required by Law** — If otherwise required by law, such use or disclosure will be made in compliance with the law and limited to the requirements of the law.

YOUR RIGHTS:

1. You have the right to:

- a) Revoke any Authorization, in writing, at any time. To request a revocation, you must submit a written request to Surya Physicals, PC's Privacy Officer.
- b) Request restrictions on certain use and/or disclosure of your PHI as provided by law. However, Surya Physicals, PC is not obligated to agree to any requested restrictions, yet, Surya Physicals, PC is obligated to honor your request to restrict the use or disclosure of your PHI to a health insurer or other health plans if (1) the use or disclosure is not otherwise required by law, and (2) the PHI pertains only to items or services for which Surya Physicals, PC has been paid in full by you or someone else on your behalf. To request restrictions, you must submit a written request to Surya Physicals, PC's Privacy Officer.
- c) Receive confidential communications of PHI by alternative means or at alternative locations. You must make your request in writing to Surya Physicals, PC's Privacy Officer. Surya Physicals, PC will accommodate all reasonable requests.
- d) Inspect and receive copies of your PHI as provided by law. To inspect and receive copies of your PHI, you must submit a written request to Surya Physicals, PC's Privacy Officer. In certain situations that are defined by law, Surya Physicals, PC may deny your request, but you will have the right to have the denial reviewed.
- e) Amend your PHI as provided by law. To request an amendment, you must submit a written request to Surya Physicals, PC's Privacy Officer. You must provide a reason that supports your request. Surya Physicals, PC may for various reasons deny your request. If you disagree with Surya Physicals, PC's denial, you will have the right to submit a written statement of disagreement.
- f) Receive an accounting of disclosures of your PHI as provided by law. To request an accounting, you must submit a written request to Surya Physicals, PC's Privacy Officer.
- g) Receive a copy of this Privacy Notice from Surya Physicals, PC upon request to Surya Physicals, PC's Privacy Officer.
- h) Complain to Surya Physicals, PC, or to the Secretary of Health and Human Services, Office of Civil Rights, Hubert H. Humphrey Building, 200 Independence Avenue, S. W., Room 509F HHH Building, Washington, D.C. 20201. Or you may contact a regional office of the Office of Civil Rights, which can be found at www.hhs.gov/ocr/regmail.html. To file a complaint with Surya Physicals, PC, you must contact Surya Physicals, PC's Privacy Officer. All complaints must be in writing.
- i) To obtain more information on, or have your questions about your rights answered, you may contact Surya Physicals, PC's Privacy Officer at (518) 867-8080 or via email at geareader@suryaphysicals.com.

PRACTICE'S REQUIREMENTS:

1. Surya Physicals, PC:

- a) Is required by law to maintain the privacy of your PHI and to provide you with this Privacy Notice of Surya Physicals, PC's legal duties and privacy practices with respect to your PHI.
- b) Is required to abide by the terms of this Privacy Notice.
- c) Reserves the right to change the terms of this Privacy Notice and to make the new Privacy Notice provisions effective for all of your PHI that it maintains.
- d) Will not retaliate against you for making a complaint.
- e) Must make a good faith effort to obtain from you an acknowledgement of receipt of this Notice.
- f) Will post this Privacy Notice on Surya Physicals, PC's web site and in a clear and prominent location where it is reasonable to expect individuals seeking service that they will be able to read this Privacy Notice.
- g) Will provide this Privacy Notice to your e-mail if you so request. However, you also have the right to obtain a paper version of this Privacy Notice.
- h) Obtain your written authorization for other uses and disclosures. Surya Physicals, PC is required to obtain your written authorization for certain uses and disclosures of your PHI, including (1) most uses and disclosures of your psychotherapy notes; (2) uses or disclosures of your PHI for certain marketing purposes; and (3) uses or disclosures that constitute the sale of your PHI. Uses and disclosures of your PHI that are not described in this Privacy Notice will be made only with your written authorization.
- i) Notify affected individuals if a breach of unsecured PHI occurs.

ACKNOWLEDGMENT OF PROCEDURES:

The federal privacy law requires that we obtain your signature as an acknowledgment that you have received this Privacy Notice and that we have procedures in place to notify you of changes to our privacy practices. By signing below, you acknowledge the receipt of this Privacy Notice. The terms of this Privacy Notice apply to all records containing your PHI that are created or retained by Surya Physicals, PC. It is effective as of the date indicated below. We reserve the right to change this Privacy Notice and our privacy practices. Any change will be effective for all of your records which we have created or maintained in the past, and for any of our records we may create or maintain in the future.

EFFECTIVE DATE:

This Notice is in effect as of 01/18/2023.