

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. PLEASE REVIEW IT CAREFULLY.

For questions about this notice, please contact the Privacy Officer at (703) 876-0800, or at Neurology Center of Fairfax, Ltd., 3020 Hamaker Ct., Ste. 400, Fairfax, VA 22031.

WHO WILL FOLLOW THIS NOTICE.

This notice describes the practices of Neurology Center of Fairfax, Ltd. ("NCF"), its physicians, employees, staff and other personnel.

OUR PLEDGE REGARDING MEDICAL INFORMATION:

We understand that medical information about you and your health (PHI), including genetic information, is personal. We are committed to protecting medical information about you. We create a record of the care and services you receive at NCF. We need this record to provide you with quality care and to comply with certain legal requirements. This notice applies to all of the records of your care generated for services at NCF.

This notice will tell you about the ways in which we may use and disclose medical information about you. We 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 that medical information that identifies you is kept private;
- give you this notice of our legal duties and privacy practices with respect to medical information about you;
- to notify affected individuals of any breach of unsecured protected health information; and
- follow the terms of the notice as in effect from time to time.

HOW WE MAY USE AND DISCLOSE MEDICAL INFORMATION ABOUT YOU.

The following categories describe different ways that we use and disclose medical information. Not every use or disclosure in a category will be listed.

- **For Treatment.** We may use medical information about you to provide you with medical treatment or services without your individual specific written authorization. We may disclose medical information about you to physicians, nurses, technicians, or other NCF personnel and others outside of NCF who are involved in taking care of you. For example, a physician treating you for another condition may need to know what medications we have prescribed for you. Different individuals at NCF also may share medical information about you in order to coordinate the different things you need, such as prescriptions, lab work and similar care. We may make a professional judgment to determine whether it is in your best interest to disclose medical information about you to people outside NCF who may be involved in your medical care, such as other physicians, or family members involved in your treatment or others.
- **For Payment.** We may use and disclose medical information about you so that the treatment and services you receive at NCF may be billed to 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 care you received at NCF so your health plan will pay us or reimburse you for the care. We may also tell your health plan about a treatment you are going to receive to obtain prior approval or to determine whether your plan will cover the treatment.
- **For Health Care Operations.** We may use and disclose medical information about you for NCF health care operations. These uses and disclosures are necessary to run NCF and make sure that all of our patients receive 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 you. We may also combine medical information about many NCF patients to decide what additional services NCF should offer, what services are not needed, and whether certain new treatments are effective. We may also disclose information to doctors, nurses, and technicians and other personnel for review and learning purposes. We may also combine the medical information we have with medical information from other healthcare facilities to compare how we are doing and see where we can make improvements in the care and services we offer.
- **Business Associates.** We are permitted by law to utilize Business Associates to carry out treatment, payment, health care operations, and business functions that may involve creating, receiving, or transmitting information and disclosure of some of your health information. However, in any such instance, unless the disclosure of health information is to another health care provider for the purpose of providing treatment to you, we will have entered into a formal Agreement with the Business Associate that requires the Business Associate to maintain the confidentiality of any patient information received and generally requires the Business Associate to limit its use of such information to only the purpose for which it was disclosed by us.
- **Appointment Reminders.** We may use and disclose medical information to contact you as a reminder that you have an appointment for treatment or medical care at NCF.
- **Treatment Alternatives.** We may use and disclose medical information to tell you about or recommend possible treatment options or alternatives that may be of interest to you.
- **Health-Related Benefits and Services.** We may use and disclose medical information to tell you about health-related benefits or services that may be of interest to you.
- **Individuals Involved in Your Care or Payment for Your Care.** Unless you object, we may release medical information about you to a friend or family member who is involved in your medical care. We may also give information to someone who helps pay for your care. We may also use and disclose information about you to notify, or to assist in notifying, a family member or friend of your location or condition, but except in emergency circumstances, you will generally be given an opportunity to object.
- **Research.** Under certain circumstances, we may use and disclose medical information about you for research purposes. Where consistent with the research goals and purposes, we will use or disclose only de-identified information, so that your identity cannot be ascertained from the information disclosed. When research cannot be conducted with de-identified information, we will ask for your specific authorization for such use or disclosure or will comply with other standards for use and disclosure of your health information.
- **As Required By Law.** We will disclose medical information about you when required to do so by federal, state or local law.
- **To Avert a Serious Threat to Health or Safety.** We may use and disclose medical information about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person, consistent with applicable law. Any disclosure, however, would only be to someone able to help prevent or lessen the threat.

SPECIAL SITUATIONS

- **Organ and Tissue Donation.** If you are an organ donor, we may release medical information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation.
- **Military and Veterans.** If you are a member of the armed forces, we may release medical information about you as required by military command authorities. We may also release medical information about foreign military personnel to the appropriate foreign military authority.
- **Workers' Compensation.** Where required or permitted by state law, we may release medical information about you for workers' compensation or similar programs.
- **Public Health Risks.** Where required or permitted by state and federal law, we may disclose medical information about you for public health activities. These activities generally include the following:
 - to prevent or control disease, injury or disability;
 - to report births and deaths;
 - to report child abuse or neglect;

- to report reactions to medications or problems with products;
 - to notify people of recalls of products they may be using;
 - to notify the appropriate government authority if we believe a patient has been the victim of abuse, neglect or domestic violence. We will only make this disclosure if you agree or when required or authorized by law.
- **Health Oversight Activities.** We may disclose medical information to a health oversight agency for activities authorized by law. These oversight activities include, for example, investigations, audits, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.
 - **Lawuits and Disputes.** If you are involved in a lawsuit or a dispute, we may disclose medical information about you in response to a court or administrative order. We may also disclose medical information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.
 - **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;
 - About the victim of 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 our offices; and
 - 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.
 - **Coroners, Medical Examiners and Funeral Directors.** We may release medical information to 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 patients of NCF to funeral directors as necessary to carry out their duties.
 - **National Security and Intelligence Activities.** We may release medical information about you to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.
 - **Protective Services for the President and Others.** We may disclose medical information about you to authorized federal officials so they may provide protection to the President, other authorized persons or foreign heads of state or for the conduct of special investigations.
 - **Inmates.** If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may release medical information about you to the correctional institution or law enforcement official. This release would be necessary (1) for the institution to provide you with health care; (2) to protect your health and safety or the health and safety of others; or (3) for the safety and security of the correctional institution.

YOUR RIGHTS REGARDING MEDICAL INFORMATION ABOUT YOU.

You have the following rights regarding medical information we maintain about you:

- **Right to Inspect and Copy.** You have the right to inspect and obtain copies, or get electronic copies (in the format in which you request it, if reasonably possible), of your medical information that may be used to make decisions about your care. Usually, this includes medical and billing records, but does not include psychotherapy notes, which are notes separate from the medical record made during individual or group counseling. To inspect and copy medical information that may be used to make decisions about you, you must submit your request in writing to the Privacy Officer at the address set forth above. If you request a copy of the information, there will be a charge for labor, supplies, and postage. Virginia law allows 30 days, with a 30-day extension if justified, to provide you with a copy of your medical record.
- We may deny your request to inspect and copy in certain very limited circumstances. If you are denied access to medical information, you may request that the denial be reviewed by another licensed health care professional. We will comply with the outcome of the review.
- **Right to Amend.** If you feel that medical information we have about you is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by or for NCF. To request an amendment, your request must be made in writing and submitted to the Privacy Officer at the address set forth above. In addition, you must provide a reason that supports your request. We may deny your request for an amendment 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 information that:
 - Was not created by us, unless the person or entity that created the information is no longer available to make the amendment;
 - Is not part of the medical information kept by or for NCF;
 - Is not part of the information which you would be permitted to inspect and copy; or
 - Is accurate and complete.

You will be informed of the decision regarding any request for amendment of your medical information and, if we deny your request for amendment, we will provide you with information regarding your right to respond to that decision.

- **Right to an 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 you. In most cases, this list will not include disclosures made for purposes of treatment, payment, or health care operations, or that were made in response to a specific authorization from you. To request this list or accounting of disclosures, you must submit your request in writing to the Privacy Officer at the address set forth above. Your request must state a time period for the request (i.e. the period covered by the accounting) which may not be longer than six years prior to the date of the request. The first list you request within a 12-month period will be free. For additional accountings, there will be a charge.

Right to Request Restrictions. You have the right to request a restriction or limitation on the medical information we use or disclose about you for treatment, payment, or health care operations. You also have the right to request a limit on the medical information we disclose about you to someone who is involved in your care or the payment for your care, like a family member or friend. For example, you could ask that we not use or disclose information about a surgery you had. We are not required to agree to your request, other than a request that we not disclose information to a health plan for payment or health care operations where the request is not required by law and relates only to a health care item or service for which you or a person other than the health plan has paid in full. If we do agree, we will comply with your request unless the information is needed to provide you emergency treatment.

- To request restrictions, you must make your request in writing to the Privacy Officer at the address set forth above. In your request, you 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, for example, disclosures to your spouse.
- **Right to Request Confidential Communications.** You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. We do not communicate PHI by regular e-mail, but our Patient Portal does support a form of secure communication. To request confidential communications, you must make your request in writing to the Privacy Officer at the address set forth above. We will not ask you the reason for your request. Your request must specify how or where you wish to be contacted. We reserve the right to determine our capability to accommodate your request.
- **Other Rights and Terms**
 - You may opt out of communications regarding subsidized treatments.
 - We may not use or disclose your PHI for any marketing communications unless you provide written authorization.
 - We may not disclose psychotherapy notes about you unless you provide written authorization for NCF to disclose those notes.
 - We may not sell your PHI unless you provide written authorization for NCF to do so.
- **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.

SUBSTANCE USE DISORDER RECORDS

Our practice does **not** create records subject to the federal confidentiality protections for substance use disorder (SUD) treatment records under **42 CFR Part 2** ("Part 2 Records"). These records receive additional protections beyond those that apply to other health information under HIPAA. If we receive Part 2 Records under a general consent for treatment, payment, or health care operations (TPO), we may use and disclose those records for treatment, payment, and health care operations as described in this Notice, to the extent permitted by applicable law. If we receive Part 2 Records pursuant to a specific consent (or a consent with limitations), we will use and disclose those records only as expressly permitted by the scope of that consent. In no event will we use or disclose your Part 2 Records, or any testimony that describes the information contained in those records, in any civil, criminal, administrative, or legislative proceeding brought by any federal, state, or local authority against you, unless authorized by your written consent or by a court order issued after you have been given notice and an opportunity to be heard, as required by 42 CFR Part 2.

CHANGES TO THIS NOTICE

We reserve the right to change this notice. We reserve the right to make the revised or changed notice effective for medical information we already have about you as well as any information we receive in the future. We will post a copy of the current notice at our offices. The notice will contain on the first page, in the top right-hand corner, the effective date. You may also obtain a copy of any current notice by submitting a written request to the Privacy Officer at the address set forth above.

COMPLAINTS

If you believe your privacy rights have been violated, you may file a complaint with NCF or with the Secretary of the Department of Health and Human Services. To file a complaint with NCF, contact the Privacy Officer at the phone number or address set forth above. All complaints to the Department of Health and Human Services must be submitted in writing. You will not be penalized or subject to retaliation for filing a complaint.

OTHER USES OF MEDICAL INFORMATION

Other uses and disclosures of medical information not covered by this notice or the laws that apply to us will be made only with your written authorization. If you provide us with authorization to use or disclose medical information about you, you may revoke that authority, in writing, at any time. If you revoke your authorization, we will no longer use or disclose medical information about you for the reasons covered by your written authorization. You understand that we are unable to take back any disclosures we have already made in reliance upon your prior authorization, and that we are required to retain our records of the care that we provided to you.