



NOTICE OF PRIVACY PRACTICES

Effective Date: September 1, 2013

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU, YOUR CHILD(REN), AND/OR YOUR DEPENDENT(S) MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

HIPAA PRIVACY OVERVIEW

The Learning Lane ("Company", "We") is committed to preserving the privacy of its clients' protected health information, and consistently fulfilling its duties, obligations and responsibilities as set forth under the Health Insurance Portability and Accountability Act of 1996, the HIPAA Privacy Rule and HIPAA Security Rule of 2003, and Section 181.001 of the Texas Medical Records Privacy Act of 2012. Pursuant to the requirement set forth under these regulations, The Learning Lane is considered a Covered Entity, and is required by law to maintain the privacy of the Protected Health Information (PHI), as defined under the state and federal HIPAA statutes. If you have any questions about this Notice of Privacy Practices, please contact The Learning Lane's Privacy Officer, Melissa Kotarski, or The Learning Lane's Owner & Executive Director, Dan Altom.

THE LEARNING LANE'S DUTIES, OBLIGATIONS & RESPONSIBILITIES

The following lists the duties, obligations and responsibilities of The Learning Lane as they relate to protecting the privacy and security of protected health information pertaining to you, your child(ren), and/or your dependent(s), referred herein as ("your PHI"):

- Protect and maintain the privacy and security of PHI.
- Prohibit the use of PHI without your permission except in the ways allowable under state and federal law, which we disclose to you in this notice.
- Safeguard PHI and keep it private.
- Provide you with notice of our legal duties, obligations and responsibilities as they pertain to upholding the privacy of your PHI.
- Provide you with notice of your legal rights as they pertain to the privacy of your PHI.
- Respond timely to any questions, concerns or complaints received in connection with The Learning Lane's Privacy Practices.
- Prohibit from selling your PHI, excluding the selling of your PHI to another covered entity(ies) for the purposes of facilitating or delivering treatment and services, payment of treatment and services, or for the delivery of health care and service operations;
the selling of your PHI, excluding for the purposes of facilitating treatment
- Follow the requirements set forth by state and federal governing bodies as they relate to HIPAA Privacy.

The Learning Lane is required to provide you with this notice of our legal duties, obligations and responsibilities regarding the Company's privacy practices, and we must do what this notice says. We will also provide you with a copy of this notice upon request. The Learning Lane reserves the right to change, modify, or amend the contents in this notice, as permitted by state and federal law, and the Company will notify you as soon as administratively possible regarding any such updates. This notice shall apply to all PHI the Company has, regardless of when the Company received or created the information.



THE LEARNING LANE'S DUTIES, OBLIGATIONS & RESPONSIBILITIES, CONT'D

Employees and representatives of The Learning Lane are required and are held responsible for also protecting the privacy of PHI as part of their respective job functions and/or association(s) with the Company. As such, The Learning Lane does not allow employees or representatives of the Company view or handle your PHI unless required otherwise for the performance of their respective job function and/or association(s) with The Learning Lane.

Employees and representatives of the Company are subject to disciplinary measures, up to and including termination of employment or business association, if they are determined to have violated the Company's privacy practices. Employees and representatives of The Learning Lane are required and are held responsible for also protecting the privacy of PHI as part of their respective job functions and/or association(s) with the Company. As such, The Learning Lane does not allow employees or representatives of the Company view or handle your PHI unless required otherwise for the performance of their respective job function and/or association(s) with The Learning Lane. Employees and representatives of the Company are subject to disciplinary measures, up to and including termination of employment or business association, if they are determined to have violated the Company's privacy practices.

HOW WE MAY USE AND DISCLOSE PROTECTED HEALTH INFORMATION

The following describes the ways the Company may use and disclose your PHI.

Activities That Do Not Require Your Permission

The Learning Lane may use and/or disclose your PHI without your permission for the following purposes:

- **For Treatment.** The Company may use and disclose your PHI pertaining to providing treatment and services and related services. For example, we may disclose your PHI to doctors, nurses, technicians, or other personnel, including people outside our office, who are involved in your medical care and need the information to provide you with medical care.
- **For Payment.** We may use and disclose PHI so that we or others may bill and receive payment from you, an insurance company or a third party for the treatment and services you received. For example, we may give your health plan information about you so that they will pay for your treatment.
- **For Health Care or Service Delivery Operations.** We may use and disclose PHI for health care or service delivery operations purposes. Examples include, but are not limited to, the following:
 - Activities to improve the progress during client programming;
 - Evaluating programs and developing procedures;
 - Case management and care/service coordination;
 - Reviewing the competence, qualifications, or performance of staff and others involved in the delivery of services;
 - Conducting training programs;
 - Resolving internal grievances;
 - Conducting accreditation, quality assessment, certification, licensing, or credentialing activities;
 - Providing medical or service review, legal services, or auditing functions;
 - Carrying out activities related to the creation, renewal, or replacement of a contract for health insurance or health benefits;
 - Appointment reminders and discussions of alternative treatment and services;
 - Engaging in business planning and management or general administration of the Company.



HOW WE MAY USE AND DISCLOSE PROTECTED HEALTH INFORMATION, CONT'D

- **For Research.** Under certain circumstances, we may use and disclose your PHI for research. For example, a research project may involve comparing the status of two clients who received, or who are receiving, services at The Learning Lane. Before we use or disclose PHI for research, the project will go through a special approval process. Even without special approval, we may permit researchers to look at records to help them identify clients of the Company who may be included in their research project or for other similar purposes, as long as they do not remove or take a copy of any PHI.

SPECIAL SITUATIONS

As permitted by state, federal or international law, The Learning Lane may use and/or disclose your PHI in special situations such as:

- **As Required by Law.** We will disclose your PHI when required to do so by international, federal, state or local law.
- **To Avert a Serious Threat to Health or Safety.** We may use and disclose your PHI when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Disclosures, however, will be made only to someone who may be able to help prevent the threat.
- **Business Associates.** We may disclose your PHI to our business associates that perform functions on our behalf or provide us with services if the information is necessary for such functions or services. For example, we may use another company to perform billing services on our behalf. All of our business associates are obligated to protect the privacy of your information and are not allowed to use or disclose any information other than as specified in our contract.
- **Military and Veterans.** If you are a member of the armed forces, we may release your PHI as required by military command authorities. We also may release your PHI to the appropriate foreign military authority if you are a member of a foreign military.
- **Workers' Compensation.** We may release your PHI for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.
- **Public Health Risks.** We may disclose your PHI for public health activities. These activities generally include disclosures to prevent or control disease, injury or disability; report births and deaths; report child abuse or neglect; report reactions to medications or problems with products; notify people of recalls of products they may be using; a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition; and the appropriate government authority if we believe a client who is receiving services from The Learning Lane has been, or is suspected of being, a victim of abuse, neglect or domestic violence. We will only make this disclosure if you agree, unless required otherwise by local, state or federal law.
- **Health Oversight Activities.** We may disclose your PHI to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.
- **Data Breach Notification Purposes.** We may use or disclose your Protected Health Information to provide legally required notices of unauthorized access to or disclosure of your PHI.



SPECIAL SITUATIONS, CONT'D

- **Lawsuits and Disputes.** If you are involved in a lawsuit or a dispute, we may disclose your PHI in response to a court or administrative order. We also may disclose your PHI 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 your PHI if asked by a law enforcement official if the information is: (1) in response to a court order, subpoena, warrant, summons or similar process; (2) limited information to identify or locate a suspect, fugitive, material witness, or missing person; (3) about the victim of a crime even if, under certain very limited circumstances, we are unable to obtain the person's agreement; (4) about a death we believe may be the result of criminal conduct; (5) about criminal conduct on our premises; and (6) in an emergency to report a crime, or suspected 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 your PHI to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. We also may release your PHI to funeral directors as necessary for their duties.
- **National Security and Intelligence Activities.** We may release your PHI to authorized federal officials for intelligence, counter-intelligence, and other national security activities authorized by law.
- **Protective Services for the President and Others.** We may disclose your PHI to authorized federal officials so they may provide protection to the President, other authorized persons or foreign heads of state or to conduct special investigations.
- **Inmates or Individuals in Custody.** If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may release your PHI to the correctional institution or law enforcement official. This release would be if 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) the safety and security of the correctional institution.

USES AND DISCLOSURES THAT REQUIRE THE LEARNING LANE TO GIVE YOU AN OPPORTUNITY TO OBJECT AND OPT OUT

You have the opportunity to object and opt out of The Learning Lane using and/or disclosing your PHI for the following purposes:

- **Individuals Involved in Your Care or Payment for Your Care.** Unless you object, we may disclose to a member of your family, a relative, a close friend or any other person you identify, your PHI that directly relates to that person's involvement in the delivery of services at The Learning. If you are unable to agree or object to such a disclosure, we may disclose such information as necessary if we determine that it is in your best interest based on the Company's professional judgment.
- **Disaster Relief.** We may disclose your PHI to disaster relief organizations that seek your PHI to coordinate care or services, or notify family and friends of your location or condition in a disaster. We will provide you with an opportunity to agree or object to such a disclosure whenever we practically can do so.



YOUR WRITTEN AUTHORIZATION IS REQUIRED FOR OTHER USES AND DISCLOSURES

Other uses and disclosures of your PHI not covered by this Notice or the laws that apply to The Learning Lane will be made only with your written authorization. If you do give The Learning Lane an authorization, you may revoke it at any time by submitting a written revocation notice to The Learning Lane's Privacy Officer. Upon receipt and review of such notice, The Learning Lane will no longer use or disclose your PHI for the two aforementioned purposes. The use or disclosure of your PHI made in reliance on your authorization before you revoked it will not be affected by the revocation, unless required otherwise by law.

YOUR RIGHTS

You have the following rights regarding your Protected Health Information at The Learning Lane.

Right to Inspect and Copy. You have a right to inspect and copy your PHI that may be used to make decisions about your care or payment for your care. This includes medical and billing records, other than psychotherapy notes. To inspect and copy your PHI, you must make your request, in writing, to The Learning Lane's Privacy Officer, Melissa Kotarski. We have up to 30 days to make your Protected Health Information available to you and we may charge you a reasonable fee for the costs of copying, mailing or other supplies associated with your request. We may not charge you a fee if you need the information for a claim for benefits under the Social Security Act or any other state of federal needs-based benefit program. We may deny your request in certain limited circumstances. If we do deny your request, you have the right to have the denial reviewed by a licensed healthcare professional who was not directly involved in the denial of your request, and we will comply with the outcome of the review.

Right to an Electronic Copy of Electronic Medical Records. If your Protected Health Information is maintained in an electronic format (known as an electronic medical record or an electronic health record), you have the right to request that an electronic copy of your record be given to you or transmitted to another individual or entity. We will make every effort to provide access to your Protected Health Information in the form or format you request, if it is readily producible in such form or format. If the Protected Health Information is not readily producible in the form or format you request your record will be provided in either our standard electronic format or if you do not want this form or format, a readable hard copy form. We may charge you a reasonable, cost-based fee for the labor associated with transmitting the electronic medical record. In response to requests for electronic medical records by duly authorized individuals, the Company shall provide electronic medical records within fifteen (15) business days of the individual's written request.

Right to Get Notice of a Breach. You have the right to be notified upon a breach of any of your unsecured Protected Health Information.

Right to Amend. If you feel that your PHI we have 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 our office. To request an amendment, you must make your request in writing to The Learning Lane's Privacy Officer, Melissa Kotarski.

Right to an Accounting of Disclosures. You have the right to request a list of certain disclosures we made of your PHI for purposes other than treatment, payment and health care operations or for which you provided written authorization. To request an accounting of disclosures, you must make your request, in writing, to The Learning Lane's Privacy Officer, Melissa Kotarski.

YOUR RIGHTS, CONT'D

Right to Request Restrictions. You have the right to request a restriction or limitation on the PHI we use or disclose for treatment, payment, or health care operations. You also have the right to request a



limit on the PHI we disclose to someone involved in your care or the payment for your care, like a family member or friend. For example, you could ask that we not share information about a particular diagnosis or treatment with your spouse. To request a restriction, you must make your request, in writing, to The Learning Lane's Privacy Officer, Melissa Kotarski. We are not required to agree to your request unless you are asking us to restrict the use and disclosure of your Protected Health Information to a health plan for payment or health care operation purposes and such information you wish to restrict pertains solely to a health care item or service for which you have paid us "out-of-pocket" in full. If we agree, we will comply with your request unless the information is needed to provide you with emergency treatment.

Out-of-Pocket-Payments. If you paid out-of-pocket (or in other words, you have requested that we not bill your health plan) in full for a specific item or service, you have the right to ask that your Protected Health Information with respect to that item or service not be disclosed to a health plan for purposes of payment or health care operations, and we will honor that request.

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. For example, you can ask that we only contact you by mail or at work. To request confidential communications, you must make your request, in writing, to The Learning Lane's Privacy Officer, Melissa Kotarski. Your request must specify how or where you wish to be contacted. We will accommodate reasonable requests.

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 copy of this notice at our web site, www.thelearninglane.com. To obtain a paper copy of this notice, please notify The Learning Lane's Privacy Officer, Melissa Kotarski.

CHANGES TO THIS NOTICE

We reserve the right to change this notice and make the new notice apply to your PHI we already have as well as any information we receive in the future. We will post a copy of our current notice at our office. The notice will contain the effective date on the first page, in the top right-hand corner.

COMPLAINTS

If you believe your privacy rights have been violated, you may file a complaint with The Learning Lane by sending a written notification to The Learning Lane's Privacy Officer, Melissa Kotarski, or to The Learning Lane's Owner & Executive Director, Dan Altom. Complaints filed with The Learning Lane must be filed in accordance with the Client Rights: Privacy Complaints document. You may also file a complaint with the Secretary of the Department of Health and Human Services or Texas Department of State Health Services by following the proper protocol established by these agencies for filing a complaint. **You will not be penalized for filing a complaint.**

FOR ADDITIONAL INFORMATION

For more information on state and federal HIPAA privacy requirements, HIPAA electronic transactions, regulations, and HIPAA security rules, please visit:

- The US Department of Health and Human Services website
<http://www.hhs.gov/ocr/office/index.html>,
- The Texas Department of State Health Services website
<http://www.dshs.state.tx.us/hipaa/default.shtm>



PRIVACY OFFICER & EXECUTIVE CONTACT FOR THE LEARNING LANE

If you have any questions about this notice, please contact Melissa Kotarski, Privacy Officer & Clinical Director for The Learning Lane, or Dan Altom, Owner & Executive Director for The Learning Lane.

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Privacy Officer & Clinical Director

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