

**OMNIBUS Rule**  
**HIPAA NOTICE OF PRIVACY PRACTICES**

for the Healthcare Facility of:

Name of Facility : Bush Dental  
Address: 385 Route 24 Suite 2a  
Chester, NJ 07930

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION under the HIPAA Omnibus Rule of 2013.**

**PLEASE REVIEW IT CAREFULLY**

For purposes of this Notice "us" "we" and "our" refers to the Name of this Healthcare Facility: \_\_\_\_\_ and "you" or "your" refers to our patients (or their legal representatives as determined by us in accordance with state informed consent law). When you receive healthcare services from us, we will obtain access to your medical information (i.e. your health history). We are committed to maintaining the privacy of your health information and we have implemented numerous procedures to ensure that we do so.

The Federal Health Insurance Portability & Accountability Act of 2003, HIPAA Omnibus Rule, (formally HIPAA 1996 & HI TECH of 2004) require us to maintain the confidentiality of all your healthcare records and other identifiable patient health information (PHI) used by or disclosed to us in any form, whether electronic, on paper, or spoken. HIPAA is a Federal Law that gives you significant new rights to understand and control how your health information is used. Federal HIPAA Omnibus Rule and state law provide penalties for covered entities, business associates, and their subcontractors and records owners, respectively that misuse or improperly disclose PHI.

Starting April 14, 2003, HIPAA requires us to provide you with the Notice of our legal duties and the privacy practices we are required to follow when you first come into our office for health-care services. If you have any questions about this Notice, please ask to speak to our HIPAA Privacy Officer.

Our doctors, clinical staff, employees, Business Associates (outside contractors we hire), their subcontractors and other involved parties follow the policies and procedures set forth in this Notice. If at this facility, your primary caretaker / doctor is unavailable to assist you (i.e. illness, on-call coverage, vacation, etc.), we may provide you with the name of another healthcare provider outside our practice for you to consult with. If we do so, that provider will follow the policies and procedures set forth in this Notice or those established for his or her practice, so long as they substantially conform to those for our practice.

**OUR RULES ON HOW WE MAY USE AND DISCLOSE YOUR PROTECTED HEALTH INFORMATION**

Under the law, we must have your signature on a written, dated Consent Form and/or an Authorization Form of Acknowledgement of this Notice, before we will use or disclose your PHI for certain purposes as detailed in the rules below.

**Documentation** – You will be asked to sign an Authorization / Acknowledgement form when you receive this Notice of Privacy Practices. If you did not sign such a form or need a copy of the one you signed, please contact our Privacy Officer. You may take back or revoke your consent or authorization at any time (unless we already have acted based on it) by submitting our Revocation Form in writing to us at our address listed above. Your revocation will take effect when we actually receive it. We cannot give it retroactive effect, so it will not affect any use or disclosure that occurred in our reliance on your Consent or Authorization prior to revocation (i.e. if after we provide services to you, you revoke your authorization / ackno

prevent us billing or collecting for those services, your revocation will have no effect because we relied on your authorization/ acknowledgement to provide services before you revoked it).

**General Rule** – If you do not sign our authorization/ acknowledgement form or if you revoke it, as a general rule (subject to exceptions described below under "Healthcare Treatment, Payment and Operations Rule" and "Special Rules"), we cannot in any manner use or disclose to anyone (excluding you, but including payers and Business Associates) your PHI or any other information in your medical record. By law, we are unable to submit claims to payers under assignment of benefits without your signature on our authorization/ acknowledgement form. You will however be able to restrict disclosures to your insurance carrier for services for which you wish to pay "out of pocket" under the new Omnibus Rule. We will not condition treatment on you signing an authorization / acknowledgement, but we may be forced to decline you as a new patient or discontinue you as an active patient if you choose not to sign the authorization/ acknowledgement or revoke it.

### **Healthcare Treatment, Payment and Operations Rule**

With your signed consent, we may use or disclose your PHI in order:

- To provide you with or coordinate healthcare treatment and services. For example, we may review your health history form to form a diagnosis and treatment plan, consult with other doctors about your care, delegate tasks to ancillary staff, call in prescriptions to your pharmacy, disclose needed information to your family or others so they may assist you with home care, arrange appointments with other healthcare providers, schedule lab work for you, etc.
- To bill or collect payment from you, an insurance company, a managed-care organization, a health benefits plan or another third party. For example, we may need to verify your insurance coverage, submit your PHI on claim forms in order to get reimbursed for our services, obtain pre-treatment estimates or prior authorizations from your health plan or provide your x-rays because your health plan requires them for payment; Remember, you will be able to restrict disclosures to your insurance carrier for services for which you wish to pay "out of pocket" under this new Omnibus Rule.
- To run our office, assess the quality of care our patients receive and provide you with customer service. For example, to improve efficiency and reduce costs associated with missed appointments, we may contact you by telephone, mail or otherwise remind you of scheduled appointments, we may leave messages with whomever answers your telephone or email to contact us (but we will not give out detailed PHI), we may call you by name from the waiting room, we may ask you to put your name on a sign-in sheet, (we will cover your name just after checking you in), we may tell you about or recommend health-related products and complementary or alternative treatments that may interest you, we may review your PHI to evaluate our staff's performance, or our Privacy Officer may review your records to assist you with complaints. If you prefer that we not contact you with appointment reminders or information about treatment alternatives or health-related products and services, please notify us in writing at our address listed above and we will not use or disclose your PHI for these purposes.
- New HIPAA Omnibus Rule does not require that we provide the above notice regarding Appointment Reminders, Treatment Information or Health Benefits, but we are including these as a courtesy so you understand our business practices with regards to your (PHI) protected health information.

Additionally you should be made aware of these protection laws on your behalf, under the new HIPAA Omnibus Rule:

- Use Earplugs; Get Hearing Tested

#### More OSHA Safety Standards

- **Make all Biohazards known** by posting Biohazard Stickers to denote such within your office
- **Be safe with Electrical Outlets & Moisture** near Ultrasonic Unit & Heat Sterilizers
- **As of 2006, Catastrophe Contingency Plan is required (written)**  
Get or create a Natural Disaster & Homeland Security Written Plan from a reliable OSHA resource  
Make an Employee Emergency Contact Phone Number Log – share it!
- Water in dental units must be at 500 microns or less / Get free water test kit from city
- You have the Right to a SAFE WORKPLACE---Report violence and potential hazards
- Report any other hazards to Management

#### HIPAA REVIEW & New Omnibus Rule Requirements:

Due in place by September 23, 2013

- HIPAA originated to provide better portability of health insurance & limit rate increases
- HIPAA now safeguards against Job Discrimination, Right to Privacy
- Private Health Information (PHI) must be kept private—Office use only
- Employees cannot share, misuse or keep PHI

#### HIPAA Standards have a Massive Change September 2013: New HIPAA Omnibus Rules

- Add all required HIPAA Omnibus Rule Protocols within your office--- There are many!
- You must have a **new HIPAA Manual** written to **new HIPAA Omnibus Rule** standards
- You must assign a HIPAA Privacy Officer & HIPAA Compliance Committee / Written Format
- You must have **new HIPAA Notice of Privacy Practice with Omnibus Rules**  
displayed in office and posted on your website if you have one; Federal Requirement
- Train ALL Employees to the **new HIPAA Omnibus Rule Standards**  
& have **proof-of-training** and **confidentiality agreement** with each employee
- Have ALL patients sign a **new HIPAA Patient Acknowledgement Form to Omnibus Rule** Standards
- Have ALL Business Associates sign a **new HIPAA Business Associates Agreement to Omnibus Rule** Standards
- Understand all **new Marketing & Selling / Dispensing Rules under HIPAA Omnibus Rules**
- Understand **new Patient Notification & Sign-offs authorizations under HIPAA Omnibus Rule**
- Update **Outgoing Email, Internet & Computers** all to HIPAA Omnibus Rule Standards
- **Microsoft XP will not be HIPAA compliant as of April 8, 2014; Must upgrade to Windows 7 or 8**
- **Outgoing Emails Require Encryption**; Add an SSL or Encryption Software / talk to your IT Specialist
- **Daily Data-Back Up must be Off-site & Encrypted**. Avoid using jump drives and discs to take home  
Use of these provoke large fines from HIPAA Auditors as they can get lost or stolen  
Choose a Complete Compliance Solution for your HIPAA Omnibus Rule Office Protocols

#### Older HIPAA Rules that still prevail:

- **Red Flag Rule** is ADA recommended / ID and fraud protection plan
- **Data Back-Up & Contingency Plan**: Required and you need to update regularly  
Use D/E's **Annual Data Back Up & Contingency Report** with your IT Specialist at least annually
- HIGH TECH LAW still federally required for all dental offices as of FEBRUARY 2010!!