

RN SERVICES OF ST. LOUIS HOME HEALTH CARE, LLC

HIPAA PRIVACY RULE HANDBOOK

POLICY AND PROCEDURE

NOTICE OF PRIVACY PRACTICES

Explanation of Applicability:

The Office for Civil Rights enforces The Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), which protects the privacy of individually identifiable health information through the HIPAA Privacy Rule; establishes a national set of security standards for protecting certain health information held or transferred in electronic form through the HIPAA Security Rule; and requires covered entities and business associates to provide notification following a breach of unsecured protected health information (“PHI”) through the HIPAA Breach Notification Rule.

HIPAA and its rules and regulations only applies to (a) covered entities and (b) business associates. A “covered entity” is defined as: (1) a health plan; (b) a health care clearinghouse; or (c) a health care provider who transmits any health information in electronic form in connection with a transaction covered by HIPAA. A “business associate” provides services to or on behalf of a covered entity where the provision of the services involves the disclosure of PHI.

Based on the statutory definitions of these terms (at 45 C.F.R. §160.103), RN Services of St. Louis Home Health Care, LLC (“RN Services” or, alternatively “we” or “us”) is neither a covered entity nor a business associate, and therefore, is not technically bound by HIPAA. However, because we value our clients’ privacy and want to ensure comfortable and trusting relationships with them, we will endeavor to remain in compliance with HIPAA at all times during the course of our business operations.

Our Compliance Goals:

RN Services provides quality, compassionate, private duty health care and assistance to clients with varying health related needs. Although RN Services is not legally bound by the HIPAA rules, we are dedicated to maintaining the privacy and security of our clients’ PHI. In the course of its business, RN Services may create, receive, maintain and transmit records regarding its clients and the treatment and services provided to them. RN Services, all individuals employed by RN Services, all volunteers working with clients of RN Services, and any other person who provides services to a client through RN Services, including any business associate which RN Services engages, shall, to the best of their ability, follow the rules outlined in the Notice of Privacy Practices, the current version of which, effective July 1, 2015 (the “Notice”), is attached hereto as Exhibit A.

Procedure with Respect to Notice of Privacy Practices:

1. A HIPAA Compliance Officer shall be appointed by RN Services. The HIPAA Compliance Officer shall have the overall responsibility of ensuring proper distribution of the Notice. Persons who may have complaints, or a request for information, concerning RN Services' privacy practices shall be instructed to contact the HIPAA Compliance Officer. In addition, the HIPAA Compliance Officer shall be primarily responsible for ensuring the security of health information (as further described below). Herein, references to the HIPAA Compliance Officer include his or her designee.

2. RN Services shall provide a copy of the Notice to, and obtain a written acknowledgement of receipt of the Notice from, each new client engaging RN Services. It is not necessary for RN Services to provide the Notice to a client from whom a written acknowledgment of receipt has been previously obtained even if such written acknowledgment was with respect to a prior version of the Notice of Privacy Practices.

3. Each time a client is seen by RN Services, the RN Services' employee responsible for registering and/or servicing the client, shall review the client's record to determine whether the client has previously provided a written acknowledgement of receipt of the Notice. If the client has not provided such acknowledgement, the employee shall give the client (or client representative) a copy of the Notice, and obtain the signature of the client on the acknowledgment form, a copy of which is attached hereto as Exhibit B. The employee shall then place the signed acknowledgement in the client's record. If the client refuses to sign the acknowledgment, or the employee is otherwise unable to obtain an acknowledgment from the client, the employee shall document in the client's record the good faith efforts to obtain the acknowledgment form. In doing so, the employee shall use a different form.

4. If, due to an emergency situation, the procedure outlined in paragraphs 1 – 4 cannot be completed prior to commencing treatment of the client, then such procedure shall be completed as soon as possible thereafter.

5. The HIPAA Compliance Officer shall ensure that at all times, a copy of the Notice is maintained in RN Services' place of business in a clearly labeled "Notice of Privacy Practices" available to any person who wishes to view it.

6. The HIPAA Compliance Officer may post a HIPAA notice on the RN Services' website.

7. Any member of RN Services' staff who receives an inquiry concerning the Notice shall direct such inquiry to the HIPAA Compliance Officer. The HIPAA Compliance Officer shall be responsible for handling all such inquiries. Upon request, the HIPAA Compliance Officer shall provide either a paper or electronic copy of the Notice to any person who requests a copy of it.

EXHIBIT A

RN SERVICES OF ST. LOUIS HOME HEALTH CARE, LLC

NOTICE OF PRIVACY PRACTICES

EFFECTIVE JULY 1, 2015

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN OBTAIN ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

The information in this Notice will be followed by all individuals employed by RN Services, all volunteers working with clients of RN Services, and any other person who provides services through a client through RN Services, including any business associate which RN Services engages.

The terms of the Notice apply to all records containing a client's PHI that are created, received, maintained or transmitted by RN Services. RN Services reserves the right to revise or amend the Notice. Any revision or amendment to the Notice will be effective for all client records RN Services has created, received, maintained or transmitted in the past and for any client records RN Services may create, receive, maintain or transmit in the future. RN Services will post a copy of the most current Notice on its website and a client may request a copy of the Notice at any time.

HOW WE MAY USE AND DISCLOSE YOUR PHI.

RN Services will strive to comply with HIPAA's use and disclosure provisions; in accordance therewith, RN Services may use and disclose PHI for the following purposes without the client's express written consent or authorization.

Client Care and Treatment. RN Services may use a client's PHI to provide such client with medical and related private duty care and assistance. We may disclose information to hospitals, doctors, nurses, technicians, medical students or other personnel involved in the client's care. Additionally, we may disclose a client's PHI to others who may assist in his or her care, such as other agencies, therapists, family members and friends.

We may use and disclose PHI to discuss treatment options with the client. We may use and disclose a client's PHI to remind him or her of upcoming appointments. Unless the client directs us otherwise, we may leave messages on the client's telephone answering machine identifying RN Services and asking for the client to return our call.

Health Care Operations. We may use and disclose clients' PHI to operate our business. These uses and disclosures are necessary for our day-to-day operations and to make sure clients receive

quality care. We may disclose a client's PHI to another health care provider with which such client has had a relationship for purposes of that provider's internal operations.

Creation of De-Identified Health Information. We may use our clients' PHI to create de-identified health information. This means that all data items that would help identify a particular client are removed or modified so that such information no longer qualifies as PHI.

Uses and Disclosures Required By Law. We will use and/or disclose PHI when required by law to do so. For instance, a client's PHI may be disclosed in response to a court order or in response to a subpoena, summons, discovery request or other lawful purpose.

Disclosures for Public Health Activities. We may disclose our clients' PHI to a government agency authorized (a) to collect data for the purpose of preventing or controlling disease, injury or disability; or (b) to receive reports of child abuse or neglect. We may also disclose such information to a person who may have been exposed to a communicable disease if permitted by law.

Disclosures about Victims of Abuse, Neglect or Domestic Violence. RN Services may disclose a client's PHI to a government authority if we reasonably believe such client is a victim of abuse, neglect or domestic violence.

Disclosures Regarding Victims of a Crime. In response to a law enforcement official's request, we may disclose information about a client without the approval of such client. We may also disclose information in an emergency situation or if the client is incapacitated if it appears he or she was the victim of a crime.

Disclosures to Avert a Serious Threat to Health or Safety. We may disclose information to prevent or lessen a serious threat to the health and safety of a person or the public as necessary for law enforcement authorities to identify or apprehend an individual.

Disclosures for Specialized Government Functions. We may disclose PHI as required to comply with governmental requirements for national security reasons or for protection of certain government personnel or foreign dignitaries.

OTHER USES AND DISCLOSURES.

RN Services will endeavor to obtain a client's express written authorization before using or disclosing such client's PHI for any other purpose not described in the paragraphs above. For example, authorizations are required for use and disclosure of psychotherapy notes, certain types of marketing arrangements, and certain instances involving the sale of PHI. The client may revoke such authorization, in writing, at any time to the extent RN Services has not relied on it.

EFFORTS TO KEEP PHI SECURE.

HIPAA Compliance Officer. RN Services is committed to ensuring the security of PHI. Toward this end, RN Services will appoint a HIPAA Compliance Officer. The HIPAA Compliance Officer will manage the facilitation and implementation of activities related to both the privacy and security of PHI.

As set forth in 45 C.F.R. § 164.308(a)(2), the HIPAA Compliance Officer will serve as the focal point for security compliance related activities and responsibilities. In general, the HIPAA Compliance Officer will work toward developing, maintaining, and implementing organizational policies and procedures, conducting educational programs, reviewing conduct of those assigned security responsibilities, and administering reviews relating to RN Services' security program.

RN Services' current HIPAA Compliance Officer is:

Name/Title: Mike Buescher
Phone Number: 314-630-7761
Address: St Louis, MO
E-mail: info@RNServicesstl.com

All employees of RN Services shall be made aware of the HIPAA Compliance Officer's identity, as well as his or her role and responsibilities. Any HIPAA Compliance Officer changes shall be promptly communicated.

The HIPAA Compliance Officer leads in the development, awareness and enforcement of information security policies and procedures, measures and mechanisms to ensure prevention, detection, containment, and correction of security incidents. He/she will also ensure that the policy/procedure requirements comply with statutory and regulatory requirements regarding security of electronic private health information ("ePHI").

The HIPAA Compliance Officer shall maintain security policies that include: (a) administrative safeguards: formal mechanisms for risk analysis and management, information access controls, and appropriate sanctions for failure to comply; (b) physical safeguards: ensure assigned security responsibilities, control access to media, protect against hazards and unauthorized access to computer systems, and secure workstation locations and use; and (c) technical safeguards: establish access controls, emergency procedures, authorization controls, and data/entity access and authentication.

The HIPAA Compliance Officer maintains security procedures that include: (a) evaluation of compliance with security measures; (b) contingency plans for emergencies and disaster recovery; (c) security incident response process and protocols; (d) testing of security procedures, measures and mechanisms, and continuous improvement; (e) security incident reporting mechanisms and sanction policy; and (f) proper documentation of security incidents and the responses to them.

The HIPAA Compliance Officer maintains appropriate security measures and mechanisms to guard against unauthorized access to client data.

The HIPAA Compliance Officer oversees and/or performs on-going security monitoring of organization information systems.

The HIPAA Compliance Officer is responsible for directing or conducting periodic risk assessments as RN Services' systems or processes change or new ones are added.

The HIPAA Compliance Officer will evaluate and recommend new information security technologies and counter-measures against threats to information or privacy.

The HIPAA Compliance Officer ensures ongoing compliance through suitable training/awareness programs and periodic security audits.

The HIPAA Compliance Officer serves as a resource regarding matters of informational security.

The HIPAA Compliance Officer will ensure that security concerns have been addressed in system implementations including any exchange of health information with clients and outside entities.

CLIENT'S RIGHTS REGARDING PHI.

Right to Inspect and Copy. The client has the right to inspect and copy his or her PHI maintained by RN Services. To do so, the client must complete a specific form providing information needed to process his or her request. If the client requests copies, we may charge a reasonable fee. We may deny the client access in certain limited circumstances. If we deny access, the client may request review of that decision by a third party, and we will comply with the outcome of the review.

Right to Request Amendment. If the client believes that his or her records contain inaccurate or incomplete information, the client may ask us to amend the information. To request an amendment, the client must complete a specific form providing information we need to process the request, including the reason that supports such request.

Right to an Accounting of Disclosures and Access Report. The client has the right to request a list of disclosures of his or her PHI we have made, with certain exceptions defined by law. To request an accounting or an access report, the client must complete a specific written form providing information we need to process such request.

Right to Request Restrictions. The client has the right to request a restriction on our uses and disclosures of his or her PHI for treatment, payment or health care operations. The client must

complete a specific written form providing information we need to process such request. Our HIPAA Compliance Officer is the only person who has the authority to approve such a request. RN Services is not required to honor a request for restrictions except if: (a) the disclosure is for purposes of carrying out payment or health care operations and is not otherwise required by law, and (b) the PHI pertains solely to a health care item or services for which you or any person (other than a health plan on your behalf) has paid RN Services in full.

Right to Request Alternative Methods of Communication. The client has the right to request that we communicate with him or her in a certain way or at a certain location. The client must complete a specific form providing information needed to process such request. RN Services' HIPAA Compliance Officer is the only person who has the authority to act on such a request. We will not ask the client to disclose the reason for his or her request, and we will accommodate all reasonable requests.