

# G.M.P. – Employers Retiree Trust Notice of Privacy Practices

Effective: March 2003

## **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.**

The G.M.P. – Employers Retiree Trust (the “Trust”) uses health information about you to obtain premiums, to determine or fulfill its responsibility for coverage and provision of benefits, for administrative purposes, and to evaluate the quality of care that you receive. Your health information is contained in a medical record that is the physical property of the Trust.

### **How the Trust May Use or Disclose Your Health Information**

*For Treatment.* The Trust may use and disclose your health information for purposes of coordinating health care services provided to you by your health care provider(s). For example, the Trust may be asked by your health care provider to confirm certain health information relating to treatment or services you have received.

*For Payment.* The Trust may use and disclose your health information to others for purposes of obtaining premiums and determining or fulfilling its responsibility for coverage and provision of benefits. For example, the Trust may use your health information to make eligibility and coverage determinations.

*For Health Care Operations.* The Trust may use and disclose health information about you for operational purposes. For example, the Trust may receive health information for use in activities related to the creation or replacement of benefits provided by the Trust.

*Required by Law.* The Trust may use and disclose information about you as required by law. For example, the Trust may disclose information for the following purposes:

- for judicial and administrative proceedings pursuant to legal authority;
- to report information related to victims of abuse, neglect or domestic violence; and
- to assist law enforcement officials in their law enforcement duties.

*Public Health.* Your health information may be used or disclosed for public health activities such as assisting public health authorities or other legal authorities to prevent or control disease, injury, or disability, or for other health oversight activities.

*Decedents.* Health information may be disclosed to funeral directors or coroners to enable them to carry out their lawful duties.

*Organ/Tissue Donation.* Your health information may be used or disclosed for cadaveric organ, eye or tissue donation purposes.

*Research.* The Trust may use your health information for research purposes when an institutional review board or privacy board that has reviewed the research proposal and established protocols to ensure the privacy of your health information has approved the research.

*Health and Safety.* Your health information may be disclosed to avert a serious threat to the health and safety of you or any other person pursuant to applicable law.

*Government Functions.* Specialized government functions such as protection of public officials or reporting to various branches of the armed services may require use or disclosure of your health information.

*Workers Compensation.* Your health information may be used or disclosed in order to comply with laws and regulations related to Workers Compensation.

### **Your Health Information Rights**

You have the right to:

- request a restriction on certain uses and disclosures of your information as provided by 45 CFR §164.522; however, the Trust is not required to agree to a requested restriction;
- obtain a paper copy of the notice of privacy practices upon request;
- inspect and obtain a copy of your health record as provided for in 45 CFR §164.524;
- amend your health record as provided in 45 CFR §164.526;
- request communications of your health information by alternative means or at alternative locations;
- revoke your authorization to use or disclose health information except to the extent that action has already been taken; and
- receive an accounting of disclosures made of your health information as provided by 45 CFR §164.528.

### **Complaints**

You may complain to the Trust and to the Department of Health and Human Services if you believe your privacy rights have been violated. You will not be retaliated against for filing a complaint.

### **Obligations of the Trust**

The Trust is required to:

- maintain the privacy of protected health information;
- provide you with this notice of its legal duties and privacy practices with respect to your health information;
- abide by the terms of this notice;
- notify you if we are unable to agree to a requested restriction on how your information is used or disclosed;
- accommodate reasonable requests you may make to communicate health information by alternative means or at alternative locations; and
- obtain your written authorization to use or disclose your health information for reasons other than those listed above and permitted under law.

The Trust reserves the right to change its information practices and to make the new provisions effective for all protected health information it maintains. Revised notices will be made available to you through future publication in *Horizons* and on the Trust’s website at [www.gmptrust.com](http://www.gmptrust.com).

### **Contact Information**

If you have any questions or complaints, please contact:

LINDA K. LEVY, Trust Privacy Officer  
5245 Big Pine Way, S.E.  
Fort Myers, Florida 33907-5998  
Phone: (239) 936-6242