

# **Advaite, Inc. HIPPA Notice and Privacy Policy**

## **a. Advaite's Use and Disclosure of PHI**

As permitted under HIPAA, the following categories explain the types of uses and disclosures of PHI that Advaite may make. Some of the uses and disclosures described may be limited or restricted by state laws or other legal requirements, for example, the Clinical Laboratory Improvement Amendments of 1988 (CLIA).

- For treatment – Advaite may use or disclose PHI for treatment purposes, including disclosure to physicians, nurses, medical students, pharmacies, and other health care professionals who provide the patient with health care services and/or are involved in the coordination of the patient’s care, such as providing the physician with laboratory test results.
- For payment - Advaite may use or disclose PHI to bill and collect payment for laboratory services provided. For example, Advaite may provide PHI to a patient’s health plan to receive payment for the health care services provided.
- For health care operations - Advaite may use or disclose PHI for health care operations purposes. These uses and disclosures are necessary, for example, to evaluate the quality of our laboratory testing, accuracy of results, accreditation functions and for Advaite's operation and management purposes. Advaite may also disclose PHI to other health care providers or health plans that are involved in the patient’s care for their health care operations. For example, Advaite may provide PHI to manage disease, or to coordinate health care or health benefits.
- Individuals involved in patient care or payment for patient care - Advaite may disclose PHI to a person who is involved in the patient’s care or helps pay for the care, such as a family member or friend. As allowed by federal and state law, Advaite may disclose the PHI of minors to their parents or legal guardians.
- Business associates - Advaite may disclose PHI to its business associates to perform certain business functions or provide certain business services to Advaite. For example, Advaite may use another company to perform billing services on our behalf. All of our business associates are required to maintain the privacy and confidentiality of patient PHI. In addition, at the request of health care providers or health plan, Advaite may

disclose PHI to their business associates for purposes of performing certain business functions or health care services on their behalf. For example, Advaita may disclose PHI to a business associate of Medicare for purposes of medical necessity review and audit.

- Disclosure for judicial and administrative proceedings - Under certain circumstances, Advaita may disclose PHI in the course of a judicial or administrative proceeding, including in response to a court or administrative order, subpoena, discovery request, or other lawful process.
- As required by law - Advaita must disclose PHI if required to do so by federal, state, or local law.
- Public Health - Advaita may disclose PHI for public health activities. These activities generally include: 1) disclosures to a public health authority to report, prevent or control disease, injury, or disability; 2) disclosures to report births and deaths, or to report child abuse or neglect; 3) disclosures to a person subject to the jurisdiction of the Food and Drug Administration ("FDA") for purposes related to the quality, safety or effectiveness of an FDA-regulated product or activity, including reporting reactions to medications or problems with products or notifying people of recalls of products they may be using; 4) disclosures to notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition; and 5) disclosures to an employer about an employee to conduct medical surveillance in certain limited circumstances concerning work-place illness or injury.
- Health oversight activities - Advaita may disclose PHI to a health care oversight agency for activities authorized by law such as audits, civil, administrative, or criminal investigations and proceedings/actions, inspections, licensure/disciplinary actions, or other activities necessary for appropriate oversight of the health care system, government benefit programs, and compliance with regulatory requirements and civil rights laws.
- Coroners, medical examiners, and funeral directors - Advaita may disclose PHI to a coroner, medical examiner, or funeral director for the purpose of identifying a deceased person, determining cause of death, or for performing some other duty authorized by law.
- Personal Representative - Advaita may disclose PHI to a patient's personal representative, as established under applicable law, or to an administrator, executor, or other authorized individual associated with a patient's estate.

- Correctional institution - Advaite may disclose the PHI of an inmate or other individual when requested by a correctional institution or law enforcement official for health, safety, and security purposes.
- Serious threat to health or safety - Advaite may disclose PHI if necessary to prevent or lessen a serious and/or imminent threat to health or safety to a person or the public or for law enforcement authorities to identify or apprehend an individual.
- Research - Advaite may use and disclose PHI for research purposes. Limited data or records may be viewed by researchers to identify patients who may qualify for their research project or for other similar purposes, so long as the researchers do not remove or copy any of the PHI. Before PHI is used or disclosed for any other research activity, one of the following will happen: 1) a special committee will determine that the research activity poses minimal risk to privacy and that there is an adequate plan to safeguard PHI; 2) if the PHI relates to deceased individuals, the researchers give us assurances that the PHI is necessary for the research and will be used only as part of the research; or 3) the researcher will be provided only with information that does not identify a patient directly.
- Government functions - In certain situations, Advaite may disclose the PHI of military personnel and veterans, including Armed Forces personnel, as required by military command authorities. Additionally, PHI may be disclosed to authorized officials for national security purposes, such as protecting the President of the United States, conducting intelligence, counterintelligence, other national security activities, and when requested by foreign military authorities. Disclosures will be made only in compliance with U.S. Law.
- Workers' compensation - As authorized by applicable laws, Advaite may use or disclose PHI to comply with workers' compensation or other similar programs established to provide work-related injury or illness benefits.
- De-identified Information and Limited Data Sets: Advaite may use and disclose health information that has been “de-identified” by removing certain identifiers making it unlikely that a patient could be identified. Advaite also may disclose limited health information, contained in a “limited data set”. The limited data set does not contain any information that can directly identify patients. For example, a limited data set may include a patient’s city, county and zip code, but not the patient’s name or street address.

**b. Other Uses and Disclosures of PHI**

For purposes not described above, including uses and disclosures of PHI for marketing purposes and disclosures that would constitute a sale of PHI, Advaita will ask for patient authorization before using or disclosing PHI. If a patient authorizes the use or disclosure, that authorization may be revoked in writing at any time, except to the extent that action has been taken in reliance on the authorization.

**c. Information Breach Notification**

Advaita is required to provide patient notification if a breach of unsecured PHI is discovered unless there is a demonstration, based on a risk assessment, that there is a low probability that the PHI has been compromised. Impacted patients will be notified without unreasonable delay and no later than 60 days after discovery of the breach. Such notification will include information about what happened and what can be done to mitigate any harm.

The Advaita Privacy Officer must document and investigate each information breach using QA-038 Form 1 - Privacy Event Investigation Form.

**d. Patient Rights Regarding PHI**

Subject to certain exceptions, HIPAA establishes the following patient rights with respect to PHI:

- Right to Receive a Copy of the Advaita Privacy Policy- Patients have a right to receive a copy of the Advaita Privacy Policy at any time by sending a written request to: HIPAA Privacy Officer, 2201 West Campbell Park Drive, Lab 327, Chicago Illinois 60612.
- Right to Request Limits on Uses and Disclosures of PHI – Patients have the right to request that Advaita limit: 1) how PHI is used or disclosed for treatment, payment, and health care operations activities; or 2) disclosure of PHI to individuals involved in the patient’s care or payment for care. Advaita will consider patient requests but is not required to agree to it unless the requested restriction involves a disclosure that is not required by law to a health plan for payment or health care operations purposes and not for treatment, and the patient has paid for the service in full out of pocket. If Advaita agrees to a restriction on other types of disclosures, Advaita will state the agreed restrictions in writing and will abide by them, except in emergency situations when the disclosure is for purposes of treatment.

- Right to Request Confidential Communications - Patients have the right to request that Advaite communicate concerning PHI at an alternative address or by an alternative means. Advaite will accommodate reasonable requests.
- Right to See and Receive Copies of PHI – Patients and personal representatives have the right to access PHI consisting of laboratory test results or reports ordered by physician. Within 30 days after receipt of a request, a patient or representative will receive a copy of the completed laboratory report from Advaite unless an exception applies. Exceptions include a determination by a licensed health care professional that the access requested is reasonably likely to endanger the life or safety of a patient or another person, or inability to provide access to the PHI within 30 days, in which case Advaite will provide a written statement of the reason for the delay and the date by which access will be provided. Patients have the right to access and receive PHI in an electronic format if it is readily producible in such a format. Patients also have the right to direct Advaite to transmit a copy to another designated person, provided such request is in writing, signed by the patient, and clearly identifies the designated person and where to send the copy of PHI. To request a copy of PHI:
  - Contact the Privacy Officer by email at [lab@advait.com](mailto:lab@advait.com).
- Right to Receive an Accounting of Disclosures – Patients have a right to receive a list of certain instances in which Advaite disclosed PHI. This list will not include certain disclosures of PHI, such as (but not limited to) those made based on patient’s written authorization or those made prior to the date on which Advaite was required to comply. If a patient requests an accounting of disclosures of PHI that were made for purposes other than treatment, payment, or health care operations, the list will include disclosures made in the past six years, unless a shorter period of disclosures is requested.
- Right to Correct or Update PHI - If a patient believes that their PHI contains a mistake, they may request, in writing, that Advaite correct the information. If the request is denied, Advaite will provide an explanation of the reasoning for the denial.

e. **How Patients Can Exercise Their Rights**

To exercise any of patient rights described in this notice, patients must be advised to send a written request to: HIPAA Privacy Officer, 5 Great Valley Parkway, Suite 125, Malvern, PA 19355

**f. How to Contact Us or File a Complaint**

If a patient has questions or comments regarding the Advaita Privacy Policy or has a complaint about the use or disclosure of PHI or Advaita privacy practices, please contact: [lab@advaita.com](mailto:lab@advaita.com), or send a written request to: HIPAA Privacy Officer, 5 Great Valley Parkway, Suite 125, Malvern, PA 19355. Patients also may file a complaint with the Secretary of the U.S. Department of Health and Human Services. Advaita will not take retaliatory action against patients for filing a complaint about our privacy practices.

All complaints should be documented and investigated per SOP QA-012 “Complaint Management Program”.

**g. Changes to the Advaita Privacy Policy**

Advaita reserves the right to make changes to this policy from time to time. Changes adopted will apply to any PHI maintained by Advaita.

**h. HIPAA Contacts**

Advaita works diligently to provide exceptional, quality service to all of its clients and is committed to implementing the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The following information is provided to assist clients in contacting the appropriate Advaita office with questions regarding HIPAA.

**i. General HIPAA Inquiries**

Privacy and Security – email [lab@advaita.com](mailto:lab@advaita.com) or send a written request to HIPAA Privacy Officer, 5 Great Valley Parkway, Suite 125, Malvern, PA 19355. The Privacy Officer may (at their discretion) use QA-038 Form 2 – PHI Request Form to document the patient request.