

# BILL OF PATIENT RIGHTS AND RESPONSIBILITIES

*Home care clients have a right to be notified in writing of their rights and obligations before treatment has begun. The client's family or guardian may exercise the client's rights when the client has been judged incompetent. Home care providers have an obligation to protect and promote the rights of their clients, including the following rights.*

## Rights

As the patient/caregiver, you have the RIGHT to:

- Be treated with dignity and respect.
- 24 hour on-call for urgent medical needs.
- Confidentiality of patient records and information pertaining to a patient's care.
- Be presented with information at admission in order to participate in and make decisions concerning your plan of care and treatment.
- Be notified in advance of the types of care, frequency of care and the clinical specialty providing care.
- Be notified in advance of any change in your plan of care and treatment.
- Be provided equipment and service in a timely manner.
- Receive an itemized explanation of charges.
- Be informed of company ownership.
- Express grievances without fear of reprisal or discrimination.
- Receive respect for the treatment of one's property.
- Refuse or discontinue service or equipment (with timely removal of equipment) within the confines of the law and be informed of the consequences of this action.
- Be informed of potential reimbursement for services under Medicare, Medicaid or other third party insurers based on the patient's condition and insurance eligibility (to the best of the company's knowledge).
- Be notified of potential financial responsibility for products or services not fully reimbursed by Medicare, Medicaid or other third party insurers (to the best of the company's knowledge).
- Be notified within 30 working days of any changes in charges for which you may be liable.
- Be admitted for service only if the company can provide safe, professional care at the scope and level of intensity needed, if the company is unable to provide care then the company will provide alternative resources.
- Rent or purchase inexpensive or routinely purchased durable medical equipment. (For Medicare patients)
- Have the manufacturers' warranty for equipment purchased from company honored.
- Have equipment rented from company repaired or replaced at no cost when such repairs are not due to neglect or abuse.
- Receive essential information in a language or method of communication that you understand.
- Each patient has a right to have his or her cultural, psychosocial, spiritual, and personal values, beliefs, and preferences respected.
- Patients have the right to be free from mental, physical, sexual, and verbal abuse, neglect and exploitation.
- The patient has the right to access, request amendment to, and receive an accounting of disclosures regarding his or her own health information as permitted under applicable law.

## Client Responsibilities

As the patient/caregiver, you are RESPONSIBLE for:

- Notifying the company of change of address, phone number or insurance status.
- Notifying the company when services or equipment is no longer needed.
- Notifying the company when you will not be available for services.
- Notifying the company in a timely manner if extra equipment or services will be needed.
- Participation as agreed in the plan of care/treatment.
- Notifying the company of any change in condition, physician orders or physician.
- Notifying the company of needed medical equipment repair.
- Notifying the company of an incident involving clinicians or equipment.
- Notifying the company in a timely manner prior to discharge.
- Meeting the financial obligations of your health care as promptly as possible.
- Providing accurate and complete information about present complaints, past illnesses, hospitalizations, medications and other matters pertinent to your health.
- Your actions if your treatment does not follow the plan of care.
- Providing a safe environment for our staff to perform the services outlined in your plan of care.



# HIPAA NOTICE OF PRIVACY PRACTICES

## **YOUR INFORMATION. YOUR RIGHTS. OUR RESPONSIBILITIES.**

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 Health Insurance Portability & Accountability Act of 1996 (HIPAA) is a federal program that requires that all medical records and other individually identifiable health information used or disclosed by us in any form, whether electronically, on paper, or orally, are kept properly confidential. This Act gives you, the patient, significant new rights to understand and control how your health information is used. HIPAA provides penalties for covered entities that misuse personal health information.*

### **Your Rights**

You have the right to:

- Get a copy of your paper or electronic medical record
- Correct your paper or electronic medical record
- Request confidential communication
- Ask us to limit the information we share
- Get a list of those with whom we've shared your information
- Get a copy of this privacy notice
- Choose someone to act for you
- File a complaint if you believe your privacy rights have been violated

### **Your Choices**

You have some choices in the way that we use and share information as we:

- Tell family and friends about your condition
- Provide disaster relief
- Include you in a hospital directory
- Provide mental health care
- Market our services and sell your information
- Raise funds

### **Our Uses and Disclosures**

We may use and share your information as we:

- Treat you
- Run our organization
- Bill for your services
- Help with public health and safety issues

- Do research
- Comply with the law
- Respond to organ and tissue donation requests
- Work with a medical examiner or funeral director
- Address workers' compensation, law enforcement, and other government requests
- Respond to lawsuits and legal actions

### **Your Rights**

#### **When it comes to your health information, you have certain rights.**

This section explains your rights and some of our responsibilities to help you.

#### **Get an electronic or paper copy of your medical record**

- You can ask to see or get an electronic or paper copy of your medical record and other health information we have about you. Ask us how to do this.
- We will provide a copy or a summary of your health information, usually within 30 days of your request. We may charge a reasonable, cost-based fee.

#### **Ask us to correct your medical record**

- You can ask us to correct health information about you that you think is incorrect or incomplete. Ask us how to do this.
- We may say "no" to your request, but we'll tell you why in writing within 60 days.

#### **Request confidential communications**

- You can ask us to contact you in a specific way (for example, home or office phone) or to send mail to a different address.
- We will say "yes" to all reasonable requests.

#### **Ask us to limit what we use or share**

- You can ask us not to use or share certain health information for treatment, payment, or our operations. We are not required to agree to your request, and we may say "no" if it would affect your care.
- If you pay for a service or health care item out-of-pocket in full, you can ask us not to share that information for the purpose of payment or our operations with your health insurer. We will say "yes" unless a law requires us to share that information.

#### **Get a list of those with whom we've shared information**

- You can ask for a list (accounting) of the times we've shared your health information for six years prior to the date you ask, who we shared it with, and why.
- We will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures (such as any you asked us to make). We'll provide one accounting a year for free but will charge a reasonable, cost-based fee if you ask for another one within 12 months.

#### **Get a copy of this privacy notice**

You can ask for a paper copy of this notice at any time, even if you have agreed to receive the notice electronically. We will provide you with a paper copy promptly. A copy of the current Notice of Privacy Practices will be prominently displayed in our office at all times and posted on our website at: [www.sleepcircle.net](http://www.sleepcircle.net)

#### **Choose someone to act for you**

- If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information.
- We will make sure the person has this authority and can act for you before we take any action.

#### **File a complaint if you feel your rights are violated**

You may file a complaint with us by notifying our Privacy Officer of your complaint. We will not retaliate against you for filing a complaint. You may contact our Privacy Officer at (732) 898-3335 for further information about the complaint process.

### **Your Choices**

**For certain health information, you can tell us your choices about what we share.** If you have a clear preference for how we share your information in the situations described below, talk to us. Tell us what you want us to do, and we will follow your instructions.

In these cases, you have both the right and choice to tell us to:

- Share information with your family, close friends, or others involved in your care.

- Share information in a disaster relief situation.
- Include your information in a hospital directory.

*If you are not able to tell us your preference, for example if you are unconscious, we may go ahead and share your information if we believe it is in your best interest. We may also share your information when needed to lessen a serious and imminent threat to health or safety.*

In these cases we never share your information unless you give us written permission:

- Marketing purposes
- Sale of your information
- Most sharing of psychotherapy notes

In the case of fundraising:

- We may contact you for fundraising efforts, but you can tell us not to contact you again.

## Our Uses and Disclosures

### How do we typically use or share your health information?

We typically use or share your health information in the following ways.

#### Treat you

We can use your health information and share it with other professionals who are treating you.

*Example: A doctor treating you for an injury asks another doctor about your overall health condition.*

#### Run our organization

We can use and share your health information to run our practice, improve your care, and contact you when necessary.

*Example: We use health information about you to manage your treatment and services.*

#### Bill for your services

We can use and share your health information to bill and get payment from health plans or other entities.

*Example: We give information about you to your health insurance plan so it will pay for your services.*

### How else can we use or share your health information?

We are allowed or required to share your information in other ways – usually in ways that contribute to the public good, such as public health and research. We

have to meet many conditions in the law before we can share your information for these purposes. For more information see: [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html)

### Help with public health and safety issues

We can share health information about you for certain situations such as:

- Preventing disease
- Helping with product recalls
- Reporting adverse reactions to medications
- Reporting suspected abuse, neglect, or domestic violence
- Preventing or reducing a serious threat to anyone's health or safety

### Do research

We can use or share your information for health research.

### Comply with the law

We will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we're complying with federal privacy law.

### Respond to organ and tissue donation requests

We can share health information about you with organ procurement organizations.

### Work with a medical examiner or funeral director

We can share health information with a coroner, medical examiner, or funeral director when an individual dies.

### Address workers' compensation, law enforcement, and other government requests

We can use or share health information about you:

- For workers' compensation claims
- For law enforcement purposes or with a law enforcement official
- With health oversight agencies for activities authorized by law
- For special government functions such as military, national security and presidential protective services

### Respond to lawsuits and legal actions

We can share health information about you in response to a court or administrative order, or in response to a subpoena.

## Our Responsibilities

- We are required by law to maintain the privacy and security of your protected health information.
- We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.
- We must follow the duties and privacy practices described in this notice and give you a copy of it.
- We will not use or share your information other than as described here unless you tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you change your mind.

**For more information see:** [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html)

### Changes to the Terms of this Notice

We can change the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available upon request, in our office, and on our website.

THIS NOTICE WAS PUBLISHED AND BECAME EFFECTIVE 10/11/2013.

For more information, please contact your specific provider below:

#### Ion of Bergen LLC - (877) 718-6777

Attn: Privacy Officer  
736 Hwy 35 Suite D, Ocean, NJ 07712

#### Comfort Sleep Services - (877) 236-8494

Attn: Privacy Officer  
736 Hwy 35 Suite A, Ocean, NJ 07712

#### Peak Respiratory - (800) 343-7325

Attn: Privacy Officer  
120 Whitehorse Pike,  
Haddon Heights, NJ 07712

#### OXYCARE - (410) 871-0887

224 Washington Heights Medical Center,  
Westminster, MD 21157

#### Americoast Delaware, LLC. - (302) 945-8081

31507 Oak Orchard Rd, Ste 10,  
Trading Post Plaza, Millsboro, DE 19966

#### Community Care of Harrisburg LLC

(717) 932-4849  
689 York Town Rd, Lewisberry, PA 17339

#### Middlesex Homecare & Supplies

(860) 632-0393  
160 West St Suite K  
Cromwell CT 06416



sleepcircle™

877-236-8494 | [www.SleepCircle.net](http://www.SleepCircle.net)

## RESOURCES

American Society on Aging - [www.asaging.org](http://www.asaging.org)

Benefits Check - [www.benefitscheckup.org/](http://www.benefitscheckup.org/)

Eldercare Locator - [www.eldercare.gov](http://www.eldercare.gov)

Medicare, Medicare D, National Nursing Home Comparison - [www.medicare.gov](http://www.medicare.gov)

### CONNECTICUT IMPORTANT WEBSITES

Department of Aging -

<http://www.ct.gov/AGINGSERVICES/site/default.asp>

Department of Health - <http://www.ct.gov/dph/site/default.asp>

Department of Insurance - <http://www.ct.gov/cid/site/default.asp>

Department of Public Welfare - <http://ct.welfareinfo.org/>

### DELAWARE IMPORTANT WEBSITES

Department of Aging -

<http://dhss.delaware.gov/dhss/dsaapd/index.html>

Department of Health - <http://dhss.delaware.gov/dhss/>

Department of Insurance - <http://www.delawareinsurance.gov/>

Department of Public Welfare - <http://de.welfareinfo.org/>

### MARYLAND IMPORTANT WEBSITES

Department of Aging - <http://www.aging.maryland.gov/>

Department of Health - <http://msa.maryland.gov/>

Department of Insurance -

<http://www.mdinsurance.state.md.us/sa/jsp/Mia.jsp>

Department of Public Welfare - <http://md.welfareinfo.org/>

### NEW JERSEY IMPORTANT WEBSITES

Department of Aging -

<http://www.state.nj.us/humanservices/doas/home/>

Department of Health - <http://nj.gov/health/>

Department of Insurance - <http://www.nj.gov/dobi/enfcon.htm>

Department of Public Welfare -

[www.state.nj.us/humanservices/clients/welfare/](http://www.state.nj.us/humanservices/clients/welfare/)

[www.state.nj.us/humanservices/doas/home/](http://www.state.nj.us/humanservices/doas/home/)

[www.njfoundationforaging.org/services.html](http://www.njfoundationforaging.org/services.html)

[www.mealcall.org/meals-on-wheels/nj/](http://www.mealcall.org/meals-on-wheels/nj/)

### NEW YORK IMPORTANT WEBSITES

Department of Aging - [www.aging.ny.gov/](http://www.aging.ny.gov/)

Department of Health - <http://www.health.ny.gov/>

Department of Insurance -

[http://www.dfs.ny.gov/insurance/dfs\\_insurance.htm](http://www.dfs.ny.gov/insurance/dfs_insurance.htm)

Department of Public Welfare -

<http://ny.welfareinfo.org/>

[www.mealsonwheelswny.org/](http://www.mealsonwheelswny.org/)

[www.gobroomecounty.com/senior/mow](http://www.gobroomecounty.com/senior/mow)

<http://meals.org/>

### PENNSYLVANIA IMPORTANT WEBSITES

Department of Aging - [www.aging.state.pa.us](http://www.aging.state.pa.us)

Department of Health - [www.health.state.pa.us/](http://www.health.state.pa.us/)

Department of Insurance - [www.insurance.pa.gov](http://www.insurance.pa.gov)

Department of Public Welfare - [www.dpw.state.pa.us](http://www.dpw.state.pa.us)

Senior Centers - [www.paseniorcenters.org](http://www.paseniorcenters.org)

[www.mealcall.org/meals-on-wheels/pa/](http://www.mealcall.org/meals-on-wheels/pa/)

