

NOTICE OF PRIVACY PRACTICES

Moderne Eye Optometry

Rev. March, 2021

THIS NOTICE DESCRIBES HOW HEALTH INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY. THE PRIVACY OF YOUR HEALTH INFORMATION IS IMPORTANT TO US.

OUR LEGAL DUTY: We are required by applicable federal and state law to maintain the privacy of your health information. We are also required to give you this Notice about our privacy practices, our legal duties, and your rights concerning your health information. We must follow the privacy practices that are described in this Notice while it is in effect. This Notice takes effect March 26, 2012, and will remain in effect until we replace it. We reserve the right to change our privacy practices and the terms of this Notice at any time, provided such changes are permitted by applicable law. We reserve the right to make the changes in our privacy practices and the new terms of our Notice effective for all health information that we maintain, including health information we created or received before we made the changes. Before we make a significant change in our privacy practices, we will change this Notice and make the new Notice available upon request. You may request a copy of our Notice at any time. For more information about our privacy practices, or for additional copies of this Notice, please contact us using the information listed at the end of this Notice.

USES AND DISCLOSURES OF ALL HEALTH INFORMATION

We use and disclose health information about you for treatment, payment, and healthcare operations. For example: **Treatment:** We may use or disclose your health information to a physician or other healthcare provider providing treatment to you.

Payment: We may use and disclose your health information to obtain payment for services we provide to you.

Healthcare Operations: We may use and disclose your health information in connection with our healthcare operations. Healthcare operations include quality assessment and improvement activities; outside storage of our records; reviewing the competence or qualifications of healthcare professionals; evaluating practitioner and provider performance; conducting training programs; and accreditation, certification, licensing, or credentialing activities.

Your Authorization: In addition to our use of your health information for treatment, payment, or healthcare operations, you may give us written authorization to use your health information or to disclose it to anyone for any purpose. If you give us an authorization, you may revoke it in writing at any time. Your revocation will not affect any use or disclosures permitted by your authorization while it was in effect. Unless you give us a written authorization, we cannot use or disclose your health information for any reason except those described in this Notice.

To Your Family and Friends: We must disclose your health information to you, as described in the Patient Rights section of this Notice. We may disclose your health information to a family member, friend, or other person to the extent necessary to help with your healthcare or with payment for your healthcare, but only if you agree that we may do so.

Persons Involved in Care: We may use or disclose health information to notify or assist in the notification (including identifying or locating) of a family member, your personal representative, or another person responsible for your care, of your location, your general condition, or death. If you are present, then prior to use or disclosure of your health information we will provide you with an opportunity to object to such uses or disclosures. In the event of your incapacity or emergency circumstances, we will disclose health information based on a determination using our professional judgment disclosing only health information that is directly relevant to the person's involvement in your healthcare. We will also use our professional judgment and our experience with common practice to make reasonable inferences of your best interest in allowing a person to pick up prescription glasses, contact lenses, copies of prescriptions, medical supplies, or other similar forms of health information.

Marketing Health-Related Services: We may use your health information for internal marketing communications when you provide us with your email address.

Required by Law: We may use or disclose your health information when we are required to do so by law such as for public health purposes, such as contagious disease reporting, investigation, or surveillance; and notices to and from the federal Food and Drug Administration regarding drugs or medical devices.

Abuse or Neglect: We may disclose your health information to appropriate authorities if we reasonably believe that you are a possible victim of abuse, neglect, or domestic violence, or the possible victim of other crimes. We may disclose your health information to the extent necessary to avert a serious threat to your health or safety, or the health or safety of others.

National Security: We may disclose to military authorities the health information of Armed Forces personnel under certain circumstances. We may disclose to authorized federal officials health information required for lawful intelligence, counterintelligence, and other national security activities. We may disclose to a correctional institution or law enforcement official having lawful custody of protected health information of inmate or patient under certain circumstances.

Appointment Reminders: We may use or disclose your health information to provide you with appointment reminders (such as voicemail messages, postcards, emails, texts or US postal letters).

PATIENT RIGHTS

Access to your prescriptions: You have the right to a copy of your glasses and contact lens prescriptions upon the conclusion of the examination(s). At the conclusion of the exam(s) and on the same day of exam, copies of glasses and contact lens prescriptions will be provided to you. Additionally, glasses and contact lens prescriptions can be released upon your telephone or email or text request, typically by the end of the next business day that request has been made. You must initiate the glasses or contact lens prescription request by emailing our office at meostaff@modeye.com and include the name and phone number of the third party (i.e. optical shop or contact lens distributor) to whom we are allowed to release your glasses or contact lens prescription. This is an exception to the written authorization form for your convenience; however, we must receive an email or a text to 510-653-4242 from you regarding the prescription release prior to the release of information.

Access to your health records: You have the right to look at or get copies of your health information, with limited exceptions. Our office requires a minimum of 3 business days from the time we receive your request (voicemail, text or email) for information to respond to your inquiry. This allows us time to obtain your written authorization for our records in compliance with our privacy practices and to retrieve your health records which may not be on site. Within 14 business days of receiving your written authorization, we will provide photocopies of your health records unless we cannot practicably do so. You must make a request in writing (email or text) to obtain access to your health information. You may obtain a form to request access by using the contact information listed at the end of this Notice. We will charge you a reasonable cost-based fee for expenses such as copies and staff time. You may also request access by sending us a letter to the address at the end of this Notice. If you request copies, we will charge you \$0.50 for each page, \$15.00 per hour for staff time to locate and copy your health information, and postage if you want the copies mailed to you. If you request an alternative format, we will charge a cost-based fee for providing your health information in that format. If you prefer, we will prepare a summary or an explanation of your health information for a fee. Contact us using the information listed at the end of this Notice for a full explanation of our fee structure. By law, we can have one 30-day extension of the time for us to give you access or photocopies of your health records if we send you a written notice of the extension.

Disclosed Accounting: You have the right to receive a list of instances in which we, or our business associates disclosed your health information for purposes other than treatment, payment, healthcare operations, and certain other activities, for the past six (6) years. If you request this accounting more than once in a 12-month period, we may charge you a reasonable, cost-based fee for responding to these additional requests.

Restriction: You have the right to request that we place additional restrictions on our use or disclosure of your health information. We are not required to agree to these additional restrictions, but if we do, we will abide by our agreement (except in an emergency).

Alternative Communication: You have the right to request that we communicate with you about your health information by alternative means or to alternative locations. (*You must make this request in writing.*) Your request must specify the alternative means or location, and provide satisfactory explanation of how payments will be handled under the alternative means or location you request.

Amendment: You have the right to request that we amend your health information. Your request must be in writing, and it must explain why the information should be amended. We may deny your request under certain circumstances. If we agree to the amendment(s), we will amend the information within 60 days from your request. We will send the correct information to persons whom we know received the wrong information, and others that you specify. If we do not agree, you can write a statement of your position, and we will include it with your health information along with any rebuttal statement that we may write. Once your statement of position and / or our rebuttal are/is included in your health information, we will send it along whenever we make a permitted disclosure of your health information. We may request one 30-day extension of time to consider a request for amendment if we notify you in writing of the extension.

Questions and Complaints: If you want more information about our privacy practices or have questions or concerns, please contact us. You may contact us at:

Moderne Eye Optometry 5330 College Ave. Ste. 110 Oakland, CA 94618 Email: meostaff@modeye.com Phone/Text: (510) 653-4242

If you are concerned that we may have violated your privacy rights; disagree with a decision we made about access to your health information, or in response to a request you made to amend or restrict the use or disclosure of your health information; or to have us communicate with you by alternative means or at alternative locations, you may complain to us using the contact information listed at the end of this Notice. You may also submit a written complaint to the U.S. Department of Health and Human Services. We will provide you with the address to file your complaint with the U.S. Department of Health and Human Services upon request. We support your right to the privacy of your health information. We will not retaliate in any way if you choose to file a complaint with us or with the U.S. Department of Health and Human Services.