

## Notice of Privacy Practices

**Smile Doc – 68 Route 27, Unit 2 Raymond NH 03077**  
**Privacy Officer: Mariana Braga, DMD      Office Phone: 603-244-3570**

**THIS NOTICE DESCRIBES HOW YOUR HEALTH INFORMATION MAY BE USED, DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFO. PLEASE REVIEW IT CAREFULLY.**

### **OUR LEGAL DUTY**

Federal and state laws require us to maintain the privacy of your health information. We are also required to provide this notice about our office's privacy practices, our legal duties and your rights regarding your health information. We are required to follow the practices that are outlined in this notice while it is in effect.

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 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. For more information about our privacy practices or additional copies of this notice, please contact our Privacy Officer.

### **HOW WE MAY USE AND DISCLOSE HEALTH INFORMATION ABOUT YOU**

We may use and disclose health information for different purposes, including treatment, payment and health care operations.

#### **Treatment**

We disclose health information to our employees and others who are involved in providing the care you need. For example, we may use or disclose your health information to another dentist or other health care providers providing treatment that we do not provide. We may also share your health information with a pharmacist in order to provide you with a prescription.

#### **Payment**

We may use and disclose your health information to obtain payment for services we provide to you. For example, we may send claims to your dental health plan containing certain health information (unless you request that we restrict such disclosure to your health plan when you have paid out-of-pocket and in full for services rendered).

#### **Health Care Operations**

We may use and disclose your health information in connection with our health care operations. Health care operations include, but are not limited to, quality assessment and improvement activities, conducting training programs, and licensing or credentialing activities.

#### **Your Family and Friends**

We must disclose your health information to you, as described in the Patient Rights section of this notice. You have the right to request restrictions on disclosure to family members, other relatives, close personal friends or any other person identified by you.

#### **Persons Involved in Your Care**

We may use or disclose health information to notify or assist in the notification of (including identifying or locating) a family member, your personal representative or another person responsible for your care, of your location, your general condition or your 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 health care.

#### **Marketing Health-Related Services**

We may contact you about products or services related to your treatment, case management or care coordination or to propose other treatments or health-related benefits and services in which you may be interested. We may also encourage you to purchase a product or service when you visit our office. If you are currently an enrollee of a dental plan, we may receive payment for communications to you in relation to our provision, coordination or management of your dental care, including our coordination or management of your health care with a third party, our consultation with other health care providers relating to your care or if we refer you for health care. We will not otherwise use or disclose your health information for marketing purposes without your written authorization. We will disclose whether we receive payments for marketing activity you have authorized.

#### **Change of Ownership**

If this dental practice is sold or merged with another practice or organization, your health records will become the property of the new owner. However, you may request that copies of your health information be transferred to another dental practice.

#### **Disaster Relief**

We may use or disclose your health information to assist in disaster relief efforts.

#### **Required by Law**

We may use or disclose your health information when we are required to do so by law.

#### **Public Health**

We may, and are sometimes legally obligated to, disclose your health information to public health agencies for purposes related to preventing or controlling disease, injury or disability; reporting abuse or neglect; reporting domestic violence; reporting to the Food and Drug Administration problems with products and reactions to medications; and reporting disease or infection exposure. Upon reporting suspected elder or dependent adult abuse or domestic violence, we will promptly inform you or your personal representative unless we believe the notification would place you at risk of harm or would require informing a personal representative we believe is responsible for the abuse or harm.

#### **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 correctional institutions or law enforcement officials having lawful custody of protected health information of inmates or patients under certain circumstances.

#### **Secretary of HHS**

We will disclose your health information to the Secretary of the U.S. Department of Health and Human Services when required to investigate or determine compliance with HIPAA.

#### **Worker's Compensation**

We may disclose your health information to the extent authorized by and to the extent necessary to comply with laws relating to worker's compensation or other similar programs established by law.

#### **Law Enforcement**

We may disclose your health information for law enforcement purposes as permitted by HIPAA, as required by law, or in response to a subpoena or court order.

#### **Judicial and Administrative Proceedings**

If you are involved in a lawsuit or a dispute, we may disclose your health information in response to a court or administrative order. We may also disclose health information about you in response to a subpoena, discovery request, or other lawful process instituted by someone else involved in the dispute, but only if efforts have been made, either by the requesting party or us, to tell you about the request or to obtain an order protecting the information requested.

#### **Coroners, Medical Examiners, and Funeral Directors**

We may release your health information to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. We may also disclose your health information to funeral directors consistent with applicable law to enable them to carry out their duties.

#### **Research**

We may disclose your health information to researchers for research purposes. In this situation, written authorization is not required as approved by an Institutional Review Board or privacy board that has reviewed the research proposal and established protocols to ensure the privacy of your information.

#### **Fundraising**

We may use or disclose demographic information and dates of treatment in order to contact you for fundraising activities. If you no longer wish to receive these communications, notify us at the contact information provided above and we will stop sending further fundraising information.

#### **Your Authorization**

We will obtain your written authorization before using or disclosing your health information for purposes other than those provided for in this notice (or as otherwise permitted or required by law). You may revoke an authorization in writing at any time. Upon receipt of the written revocation, we will stop using or disclosing your health information, except to the extent that we have already taken action in reliance on the authorization.

#### **Use of Artificial Intelligence Technologies**

We may use artificial intelligence (AI) technologies, machine learning algorithms, and automated systems to support various aspects of your healthcare experience. These technologies may be used in treatment, payment operations, healthcare operations, and administrative functions to enhance the quality, efficiency, and safety of services we provide. When we use AI technologies, your protected health information may be processed through these systems. Qualified healthcare professionals review AI-assisted clinical recommendations before any treatment decisions are made. We implement appropriate safeguards to protect your information when processed through AI systems.

#### **Special Protections for Substance Use Disorder Treatment Records**

Substance Use Disorder records are protected under 42 CFR Part 2 and HIPAA. Any SUD-related information disclosed to this dental practice will be limited to oral-health-related considerations such as medication interactions, anesthesia risk, and infection control, and may be redisclosed as permitted by HIPAA. However, such records cannot be used in legal proceedings against the patient without specific consent or a court order.

### **PATIENT RIGHTS**

#### **Access**

You have the right to look at or get copies of your health information, with limited exceptions. You may request that we provide copies in a format other than photocopies. We will use the format you request unless we cannot practicably do so. You must make a request in writing to obtain access to your health information. You may obtain a form to request access by contacting our office. 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. If you request copies, there may be a charge for time spent. If you request an alternate 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 for a full explanation of our fee structure.

#### **Disclosure Accounting**

You have a right to receive a list of instances in which we disclosed your health information for purposes other than treatment, payment, health care operations and certain other activities for the last six 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.

#### **Right to Request a 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 emergency). In the event you pay out-of-pocket and in full for services rendered, you may request that we not share your health information with your health plan. We must agree to this request.

#### **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 your 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. We will accommodate all reasonable requests. However, if we are unable to contact you using the ways or locations you have requests we may contact you using the information we have.

**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 deny your request, we will provide you with a written explanation of why we denied it and explain your rights.

**Breach Notification**

In the event your unsecured protected health information is breached, we will notify you as required by law. In some situations, you may be notified by our business associates.

**Electronic Notice**

You may receive a paper copy of this Notice upon request, even if you have agreed to receive this Notice electronically on our Web site or by electronic mail (email).

**QUESTIONS AND COMPLAINTS**

If you want more information about our privacy practices or have questions or concerns, please contact our Privacy Officer.

If you are concerned that we may have violated your privacy rights, or you 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 send a written complaint to our Privacy Officer or to the U.S. Department of Health and Human Services, Office of Civil Rights. We will not retaliate against you for filing a complaint.

**Patient Acknowledgment of Receipt of Notice of Privacy Practices (HIPAA)**

I acknowledge that I have received a copy of the Notice of Privacy Practices of **Smile Doc** and have been offered the opportunity to review it and ask any further questions about my rights to the maintenance of the security of my Protected Health Information under the Health Insurance Portability and Accountability Act (HIPAA) and corresponding HITECH Legislation.

I understand that I should ask our dental practice’s Privacy Officer if I have any questions about the policies and procedures.

I will ask a Smile Doc rep if I would like a copy of this notice.

\_\_\_\_\_  
Patient/Guardian Name

X \_\_\_\_\_  
Patient/Guardian Signature

\_\_\_\_\_  
Date