



PO BOX 17362, ASHEVILLE NC 28816 - 844-FLY-FBNC - 00@FBNC.US

NOTICE OF PRIVACY PRACTICES

Firebird Transformations Wellness and Recovery Group, LLC, is a North Carolina Limited Liability Corporation, hereinafter referred to as 'FBT': this notice describes how medical and drug and alcohol related information about you may be used and disclosed and how you can get access to this information. Please review it carefully.

General Information

General information regarding your health care, including payment for health care, is protected by two federal laws: the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), 42 U.S.C.1320d et seq., 45 C.F.R. Parts 160 and 164, including the updated HIPAA Omnibus Rule of 2013, and the Confidentiality Law, 42 U.S.C. 290dd-2, 42 C.F.R. Part 2. Under these laws, Firebird Transformations ('FBT') may not say to a person outside 'FBT' that you attend the program, nor may 'FBT' disclose any information identifying you as an alcohol or drug abuser, or disclose any other protected information except as permitted by federal law.

'FBT' must obtain your written consent before it can disclose information about you for payment purposes. For example, 'FBT' must obtain your written consent before it can disclose information to your health insurer in order to be paid for services. Generally, you must also sign a written consent before 'FBT' can share information for treatment purposes or for health care operations. However, federal law permits 'FBT' to disclose information without your written permission:

1. Pursuant to an agreement with a qualified service organization/ business associate;
2. For research, audit or evaluations;
3. To report a crime committed on 'FBT' premises or against 'FBT' personnel;
4. To medical personnel in a medical emergency;
5. To appropriate authorities to report suspected child abuse or neglect or sexual battery;
6. As allowed by a properly executed 42 CFR Part 2 court order;
7. When necessary in emergencies to prevent a serious threat to your health and safety or the health and safety of other persons but only to those person(s) who are reasonable able to prevent or lessen the threat;
8. When necessary for public health reasons (i.e. prevention or control of disease, injury or disability, reporting information such as adverse reactions to anesthesia or dangerous medications or products;



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For example, 'FBT' can disclose information without your consent to report a crime or to another medical facility to provide health care to you. Before 'FBT' can use or disclose any information about your health in a manner which is not described above, it must first obtain your specific written consent allowing it to make the disclosure. Any such written consent may be revoked by you in writing.

Your Rights

You have the right to see and get a copy of your PHI including, but not limited to, medical and billing records by submitting a written request to our Management. Original records will not leave the premises, but will be available for inspection only during our regular business hours, and only if our Privacy Officer is present at all times.

Under HIPAA laws you also have the right to inspect and receive a copy your own health information maintained by 'FBT', except to the extent that the information contains psychotherapy notes or information compiled for use in a civil, criminal or administrative proceeding or in other limited circumstances.

You may ask us to give you the copies in a format other than photocopies such as electronic format. We will do so unless we determine that it is impractical but will always provide you with a photocopy. You may ask us to prepare a summary in lieu of the copies. We may charge you a nominal fee to recover our costs (including postage, supplies, and staff time as applicable) to duplicate or summarize your PHI.

We will not condition release of this information based on payment of your outstanding balance for professional services (if you have one). We will comply with federal law to provide your PHI in paper or electronic format within 30 days, to Federal specification, when you provide us with proper written request.

We may deny your request in certain limited circumstances. If we deny your request, you may ask for a review of that decision. Under HIPAA laws, you have the right to request restrictions on certain uses and disclosures of your health information. You may ask us to limit how your PHI is used and disclosed, by submitting a written request to us. For example, you may not want us to disclose your specific treatment information to family members or friends involved in paying for your services or providing your home care. We will follow these limitations except in an emergency where we may not have time to check for limitations.



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Under certain circumstances, such as restrictions on disclosure of PHI to your insurance company, 'FBT' may not be able to submit your insurance claims without the authorization to release your PHI. By law we are not able to submit claims to insurance companies under assignment of benefits without your signature. We will not condition treatment on your signing a consent for release, but we may be forced to decline you as a new patient if you choose not to sign an authorization for release of PHI to your insurance company for purposes of payment.

You have the right to request that we communicate with you by alternative means or at an alternative location. 'FBT' will accommodate such requests that are reasonable and will not request an explanation from you.

Under HIPAA you also have the right, with some exceptions, to amend health care information maintained in 'FBT' records. If you think PHI we have about you is incorrect, or that something important is missing from your records, you may ask us to amend or correct it (so long as we have it) by submitting a **"Request for Amendment / Correction"** form to our Director of Operations. We will act on your request within 30 days from receipt but we may extend our response time (within the 30-day period) no more than once and by no more than 30 days, in which case we will notify you in writing why and when we will be able to respond. If we grant your request, we will let you know within five business days, make the changes by noting (not deleting) what is incorrect or incomplete and adding to it the changed language, and send the changes within 5 business days. We may deny your request under certain circumstances. If we deny your request, we will (in writing within 5 business days) tell you why and how to file a complaint with us if you disagree.

You have the right to request and receive an accounting of disclosures of your health related information made by 'FBT'.

You may ask us for a list of those who got your PHI from us by submitting a **"Request for Accounting of Disclosures"** form to our Privacy Officer. You must state in what form you want the list (i.e. paper or electronically) and the time period you want us to cover, which may be up to but not more than the last six years.

If you ask us for this list more than once in a 12-month period, we may charge you a reasonable, cost-based fee to respond. You also have the right to receive a paper copy of this notice.



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Additional Rights (per the new HIPAA Omnibus Final Rule of 2013)

'FBT' will not ever sell your PHI.

'FBT' will not disclose your PHI to insurance companies for services or amounts paid "out of pocket" by you without your express written consent.

We will, in accordance with federal and state laws, obtain your written authorization to use or disclose your PHI for marketing purposes, (i.e. to use your photo in advertisements or to use your testimonials or comments concerning 'FBT' services in marketing).

We will obtain your written authorization prior to using your PHI for the purpose of making any treatment or healthcare recommendations to another entity, should financial remuneration for making the communication be involved from a third party whose product or service we might promote. This will also apply to our Business Associate(s) who may receive such remuneration for making a treatment or healthcare recommendations to you. All such recommendations will be limited without your expressed written permission.

Face-to-face marketing communications, such as sharing with you, a written product brochure or pamphlet, is permissible under current HIPAA Law.

'FBT' may continue to communicate with you after your discharge for a period of up to 180 days for the purpose of ensuring your proper and safe treatment and care or for business office matters concerning payment or insurance claims processing.

At discharge we will offer you the opportunity to receive future communication beyond the 180 day time period. You may choose to accept or 'opt out'.

In the unlikely event we wish to communicate about future fund raising activities, simply let us know that you want to "opt out" of such communications should you not wish to receive them. There will be a statement on your Discharge paperwork where you can choose to "opt out" of any future communications past the 180 day time period after discharge. Your decision to participate or not participate in our fund raising efforts will in no way effect our commitment to provide good care and treatment to you.



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Under HIPAA Omnibus Rule, we must seek authorizations from you for the use of your PHI for future research or in cases where there may be disclosure of genetic research information. We would have to make clear to you what those uses are in detail.

Firebird Transformations Duties

'FBT' is required by law to maintain the privacy of your health information and to provide you with notice of its legal duties and privacy practices with respect to your health information. 'FBT' is required by law to abide by the terms of this notice. 'FBT' reserves the right to change the terms of this notice and to make new notice provisions effective for all protected health information it maintains.

We will disclose to others outside our staff, only as much of your PHI you authorize us to on your written disclosure consent to accomplish the recipient's lawful purposes.

All of our team members are trained on the laws involving Patient Confidentiality (42 CFR Part 2 and the HIPAA Privacy rules) and all 'FBT' employees sign strict Confidentiality Contracts with regards to protecting and keeping private your PHI. As well our Business Associates and their Subcontractors are also under strict confidentiality agreements with 'FBT'. Know that your PHI is protected several layers deep with regards to our business relations.

'FBT' takes reasonable administrative, technical and security safeguards to ensure the privacy of your PHI when we use or disclose it.

Some examples are:

- Use of Confidentiality notices and notice of re-disclosure prohibition statements on all PHI documents, emails and fax coversheet;
- Shredding all paper containing PHI,
- Requirement of employees to speak with privacy precautions when discussing PHI with you,
- Using computer passwords, computer firewalls and router protections to the federal standard,
- Backing up our PHI data off-site and encrypting it to federal standard,
- Not allowing unauthorized access to areas where PHI is stored or filed
- Enduring all vendors who might have access to PHI are signed on Confidentiality agreements.

However, in the event that there is a breach in protecting your PHI, we will follow federal guidelines laid out in the HIPAA Omnibus Rule Standard to first evaluate the breach situation using the 4-Factor Formula for Breach Assessment.



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Then we will document the situation, retain copies of the situation on file, and report all breaches (other than low probability as prescribed by the Omnibus Rule) to the US Department of Health and Human Services. We will also make proper notification to you and any other parties of significance as required by HIPAA Law.

Complaints and Reporting Violations

You may complain to 'FBT' and the Secretary of the United States Department of Health and Human Services if you believe that your privacy rights have been violated under HIPAA. You will not be retaliated against for filing such a complaint. Violation of the Confidentiality Law by a program is a crime. Suspected violations of the Confidentiality Law may be reported to the United States Attorney in the district where the violation occurs.

Contact

For further information, contact our Privacy Officer at 844-359-3262 (FLY-FBNC).

Effective Date

February 15th, 2015

Additional Information Collection and Use- Website

This privacy policy covers Firebird Transformation's treatment of personally identifiable information that we collect when you are on our site and when you use our services. This policy does not apply to the practices of companies that we do not own or control, or to people that we do not employ or manage. We may collect personally identifiable information when you visit or use our Web pages. We also automatically receive and record information on our server logs from your browser including your IP address, cookie information and the page you requested. We may use this information for three internal purposes: 1) to customize the content you see; 2) to fulfill your request for certain services and information; 3) to contact you if you request information.

We will not sell or rent your personally identifiable information to anyone. We will not send personally identifiable information about you to other companies or people unless we have your written consent to share the information or we respond to subpoenas, court orders or legal processes.

Our website's operating software may set and access cookies on your computer.