

## **Motherwit Integrative Medicine Notice of Privacy Practices**

*Last Revised 12, 2018 (“Effective Date”)*

**THIS NOTICE OF PRIVACY PRACTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU OR YOUR CHILD MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW THIS NOTICE CAREFULLY.**

Brittany Blockman, MD PC d/b/a Motherwit Integrative Medicine (“MIM”, “us”, “we”, “our”) provides pediatric medical services and prenatal counseling (collectively, the “Services”). MIM operates the website located at <https://www.motherwit.earth> and other related websites and mobile applications with links (collectively, the “Site”) to this Notice of Privacy Practices (“Notice”). MIM understands that information about you, your child(ren), and the health of you and your child(ren) is personal and respects the privacy of each and every person, and is committed to protecting and maintaining the confidentiality of all of your and your child’s personal and protected health information (“PHI”). We continuously seek to safeguard this information through administrative, physical, and technical means, and otherwise to abide by applicable federal and state data privacy and security guidelines.

This Notice describes how your PHI may be used and disclosed by MIM and how you can get access to this information. This Notice will serve as a summary of your privacy rights. MIM must provide you with this Notice and follow the terms of this Notice while it is in effect. Your use of MIM’s Services indicates your acceptance of the terms of this Notice. **PLEASE REVIEW THIS NOTICE CAREFULLY.**

The Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) imposes numerous requirements on the use and disclosure of individually identifiable health information by MIM. The term individually identifiable health information means information that:

- Is created or received by a health care provider, health plan, employer or health care clearinghouse;
- Relates to the past, present or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present or future payment for the provision of health care to an individual; and
- Identifies the individual, or there is a reasonable basis to believe that the information can be used to determine the identity of the individual.

This information is known as PHI, and, as illustrated above, includes almost all individually identifiable health information held by a covered entity, such as a health care provider — whether received in writing, in an electronic medium, or as an oral communication. This notice describes the privacy practices of MIM. Understanding what PHI is and how it is used will help you make more informed decisions if you are asked to sign an authorization to disclose your PHI to others, as required by HIPAA.

***What are MIM’s obligations regarding the privacy and confidentiality of my or my child’s PHI?***

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MIM is required by law to maintain the privacy and confidentiality of your and your child's PHI and to provide you with this notice of its legal duties and privacy practices with respect to your and your child's PHI.

### ***How does MIM use and disclose my PHI?***

Generally, under HIPAA, MIM only may use and disclose your or your child's PHI with your authorization, subject to certain exceptions. These exceptions allow MIM to use and disclose your or your child's PHI without your authorization for purposes of: (i) treatment, (ii) payment, and (iii) health care operations. This Notice provides examples of those activities, although not every use or disclosure falling within each category is listed:

***Treatment*** – MIM keeps a record of the PHI you provide to us. This record may include test results, diagnoses, medications, your response(s) to medications or other therapies, and other information we learn about your or your child's medical condition through the online services. We may disclose this information so that other doctors, nurses, and entities such as laboratories can meet your health care needs.

***Payment*** – MIM documents the services and supplies you or your child receive when we are providing care to you or your child so that you (or if applicable, your insurance company or another third party) can reimburse us for provision of the Services. If applicable, we may share information with your health plan regarding upcoming treatments or services that require prior approval or authorization by your health plan.

***Health Care Operations*** – Patient health information is used to improve the services we provide, to train our staff, for business management, for quality improvement, and for customer service. For example, MIM may use or disclose your PHI to review our treatment and services and to evaluate the performance of our staff in caring for you.

The amount of PHI used, disclosed or requested will be limited as required under HIPAA to the minimum necessary amount to accomplish the intended purposes of such use and/or disclosure. If MIM uses or discloses PHI for underwriting purposes, MIM will not use or disclose PHI that is your or your child's genetic information for such purposes.

MIM may, without your written authorization, also use your or your child's PHI to:

- Comply with federal, state, or local laws that require disclosure of such information. For example, MIM must allow the U.S. Department of Health and Human Services to audit its records;
- Assist in public health activities such as tracking diseases;
- Inform authorities to protect victims of abuse or neglect;
- Comply with federal and/or state health oversight activities such as fraud investigations;
- Respond to law enforcement officials or to judicial orders, subpoenas, or other process;
- Inform coroners, medical examiners, and funeral directors of information necessary for them to fulfill their duties;

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- Facilitate organ and tissue donation or procurement;
- Conduct research following internal review protocols to ensure the balancing of privacy and research needs;
- Avert a serious threat to health or safety;
- Assist in specialized government functions such as national security, intelligence, and protective services.
- Inform military and veteran authorities if you are an armed forces member (active or reserve);
- Inform a correctional institution if you are an inmate;
- Inform workers' compensation carriers and/or your employer if you are injured at work;
- Recommend treatment alternatives;
- Tell you about health-related products and services;
- Communicate within our organization for treatment, payment, or health care operations;
- Communicate with other providers, health plans, or their related entities for their treatment or payment activities, or health care operations activities relating to quality assessment or licensing; and
- Provide information to other third parties with whom we do business, including our business associates, such as a record storage provider (however, you should know that in these situations, we require third parties to provide us with comparable assurances that they will safeguard your information).

Except as set forth within this Notice, MIM will only use or disclose your or your child's PHI with your written authorization.

Additionally, MIM may use or disclose your or your child's PHI for operational purposes including (but not limited to) communicating with individuals who are involved in your or your child's care (or payment for that care (e.g., family, friends)). Information about your location, general condition, or death may be provided to a similar person (or to a public or private entity authorized to assist in disaster relief efforts). Generally, you will be given the opportunity to agree or object to these disclosures (although exceptions may be made, for example, if you are not present or if you are incapacitated). In addition, your PHI may be disclosed without authorization to your legal representative.

We may also use your or your child's PHI for operational purposes such as to send appointment reminders, to tell you about different types of treatment alternatives, and for research-related purposes. We will only make these types of disclosures with your express written consent, and you may revoke that consent in writing at any time; however, this will not affect prior uses and disclosures. For example, we need your express, written authorization before we may use or disclose your PHI for marketing purposes or before we would sell your information. You may revoke your authorization as allowed under HIPAA. You cannot, however, revoke your authorization with respect to disclosures that MIM has already made.

***Please note that in some cases, state law may require that we apply extra protections to some of your or your child's health information.***

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### ***What are MIM's responsibilities with respect to the security of my or my child's PHI?***

The importance of security for all personal information including, but not limited to, PHI associated with you or your child, is of utmost concern to MIM. MIM uses reasonable and appropriate safeguards to protect the security and confidentiality of your or your child's PHI and other personal information. At MIM we take care to provide secure transmission of your or your child's PHI and other personal information from your PC or mobile device to our servers and/or our Site. PHI and other personal information collected by our Site is stored in secure operation environments that are not available to the public. Only those MIM employees who need access to your or your child's PHI and other personal information in order to do their jobs are allowed access, and only after they have been trained regarding MIM's confidentiality obligations. Further, our password and authentication system is user specific to ensure that users can only see the specific information to which they have been granted access. Any MIM employee who violates our privacy and security policies is subject to disciplinary action, including possible termination and civil and/or criminal prosecution. You will be notified of any unauthorized access, use, or disclosure of your unsecured PHI as required by law.

### ***What are my privacy rights with respect to my or my child's PHI?***

We are required by law to maintain the privacy of your or your child's PHI and other personal information, to provide this Notice to you and to abide by the terms of this Notice, and to tell you if there has been a breach that compromises your or your child's PHI or other personal information.

### ***What other rights do I have with respect to my or my child's PHI?***

You have the following rights regarding the PHI that MIM maintains about you:

***Right to Inspect and Receive Copies*** – With some exceptions, you have the right to inspect and receive copies of the PHI used to make decisions about your or your child's care, provided you submit a request in writing to do so. Typically this includes medical and/or billing records. MIM may deny your request to inspect such PHI in limited circumstances, but must inform you of the reason for such a denial and you have the right to request a review of the denial. MIM may charge a reasonable fee for the costs of processing your request. Please contact MIM at [drbrittany@motherwit.earth](mailto:drbrittany@motherwit.earth) to make such a request.

***Right to Amend*** – If you believe MIM is maintaining PHI about you or your child that is inaccurate or incomplete, you have the right to request an amendment to your or your child's record, provided you submit a request in writing and state a reason that supports your request. MIM may deny your request to amend your or your child's record if such a request is not submitted in writing and/or does not include a reason supporting your request. MIM also may deny your request if you ask us to amend information that MIM did not create (unless the person or entity that created the information is no longer available to make the amendment), is not part of the records used by MIM to make decisions about you or your child, and/or is not part of the information you are permitted to

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inspect and to receive a copy of, or is accurate and/or complete. Please contact MIM at [drbrittany@motherwit.earth](mailto:drbrittany@motherwit.earth) to make such a request.

***Right to an Accounting of Disclosures*** – You have the right to get a list of the disclosures MIM has made of your or your child’s PHI. This list will not include all disclosures MIM has made; for example, this list will not include disclosures MIM has made for purposes of treatment, payment, or health care operations, or disclosures that you specifically approved. You can request this list to include disclosures for up to six years prior to the date of the request. The first request in a 12-month period is provided to you at no cost. There may be a charge for subsequent requests within the same 12-month period. To request this list, you must do so in writing and on the approved form, which will be provided to you upon request. Please contact MIM at [drbrittany@motherwit.earth](mailto:drbrittany@motherwit.earth) to make such a request.

***Right to Request Restrictions*** – You have the right to request a restriction or limitation on the PHI that MIM uses or discloses for purposes of treatment, payment, or health care operations. You also have the right to request a limitation on the PHI that MIM uses or discloses to someone who is involved in your care (or in the payment for your care) (e.g., family, friend). Subject to certain exceptions, MIM is not required to comply with your request; however, if MIM agrees to comply with your request, we will fulfill your request unless the information is needed to provide you with emergency treatment or if otherwise required by federal or state law. To request such restrictions or limitations, you must do so in writing and on the approved form, which will be provided to you upon request. Please contact MIM at [drbrittany@motherwit.earth](mailto:drbrittany@motherwit.earth) to make such a request.

***Right to Request Confidential Communications*** – You have the right to request confidential communications of your or your child’s PHI. You may request that MIM communicate with you through specific means or at a specific location. MIM will attempt to accommodate all reasonable requests. To request such confidential communications, you must do so in writing and on the approved form, which will be provided to you upon request. Please contact MIM at [drbrittany@motherwit.earth](mailto:drbrittany@motherwit.earth) to make such a request.

***Right to a Paper Copy of This Notice*** – You may request that MIM provide you with a written copy of this Notice at any time. Even if you have agreed to receive this Notice electronically, you have a right to a paper copy of this Notice if you so desire. Please contact MIM at [drbrittany@motherwit.earth](mailto:drbrittany@motherwit.earth) to make such a request.

***Right to Require Written Authorization*** – Any uses or disclosures of your or your child’s PHI, other than those described above, will be made only with your advance written authorization, which you may grant or revoke at any time.

#### ***How will I know about any changes made to the information in this Notice?***

MIM is required to abide by the terms of this notice as currently in effect. MIM reserves the right to change the terms of this notice and to make such revised notice provisions effective for all PHI and other personal information that we, and/or our business associates, maintain. In the

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event that we make changes to this Notice, a revised Notice will be posted on the Site. You agree by continued use of the Site and Services to accept such a revised Notice.

### ***What if I need to make a complaint?***

If you believe that your privacy has been violated, or that MIM has not followed its legal obligations under HIPAA, you may file a complaint with us or with the Secretary of the U.S. Department of Health and Human Services (“Secretary”). We will not retaliate or penalize you for filing a complaint with MIM or the Secretary.

To file a complaint with MIM or to receive more information contact:

E-mail Address:        [drbrittany@motherwit.earth](mailto:drbrittany@motherwit.earth)  
Mailing Address:        2625 Alcatraz Ave Suite 143 Berkeley 94705

To file a complaint with the Secretary of the U.S. Department of Health and Human Services, call (877) 696-6775 or write to:

Hubert H. Humphrey Building  
200 Independence Ave., S.E.,  
Washington, D.C. 20201

### ***Who must abide by the terms of this Notice?***

This Notice pertains to the actions to be taken by:

- Any physician or other health care professional authorized by MIM to access and/or enter information into your medical record (“Treating Provider”);
- All departments and units through which MIM’s Services are provided; and
- All MIM affiliates and volunteers.

***Your personal health care providers may have different policies or notices of privacy practices regarding the use and disclosure of your health information created in their offices.***

### ***Who may I contact with questions about this Notice?***

For more information on MIM’s privacy policies or your rights under HIPAA, contact MIM’s CEO, Dr. Brittany Blockman, at [drbrittany@motherwit.earth](mailto:drbrittany@motherwit.earth) .