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NAPERVILLE, ILLINOIS 60540-7060

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**THIS NOTICE OF PRIVACY PRACTICES DESCRIBES HOW MEDICAL INFORMATION MAY BE USED AND DISCLOSED, AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW THIS NOTICE CAREFULLY.**

Protected health information means any of your health information that could be used to identify you. In this Notice, we call all protected health information “PHI.” Some examples of PHI are:

- Medical records, including but not limited to doctors’ notes and orders, x-ray films and reports, lab reports, and nurses’ notes.
- Demographic information, such as your name, address, telephone number, date of birth and religious preference; and
- Billing and payment information, such as the name of your health insurer.

**This Notice is for:**

- Edward Health Ventures
- Edward Hospital
- Edward Medical Group
- Linden Oaks Hospital
- Linden Oaks Medical Group
- Edward Neuroscience Institute

This Notice of Privacy Practices applies to certain health care provider affiliates of Edward-Elmhurst Healthcare, including Edward Health Ventures, Edward Hospital, Edward Medical Group, Linden Oaks Hospital, Linden Oaks Medical Group, (collectively “Edward”), and all of their departments, units, employed health care professionals, students, and members of volunteer groups who are allowed to help you while you are staying in or being treated at an Edward facility. All of these entities follow the terms of this Notice of Privacy Practices, and may share your medical information with each other for treatment, payment or health care operations purposes.

**This Notice of Privacy Practices is effective as of September 23, 2013. If you have any questions about this notice, please contact Edward’s Corporate Compliance Department through the confidential Compliance Hotline at 1-877-769-3447 or 1-877-7MY-EHHS or the Privacy Officer at (630)527-5861.**

Edward is required to give you this Notice of Privacy Practices (“Notice”) to comply with the regulations (the “Privacy Rule”) established under federal laws (the Health Insurance Portability and Accountability Act, or “HIPAA” and Health Information Technology for Economic and Clinical Health Act or “HITECH”). Edward is committed to protecting your medical and other personal information, in accordance with HIPAA, HITECH and other federal and state laws, and in using that information appropriately.

This Notice is intended to describe your rights, and to inform you about the ways in which Edward may use and disclose your PHI, and the obligations Edward has when using and disclosing your PHI. Your personal physician or any other provider of your health care services may have different policies or notices regarding their use and disclosure of your PHI created in that provider’s office.

A record of the care and services you receive at Edward is needed to provide you with quality care. Edward uses an electronic medical record (“EMR System”) to maintain its medical and billing records about you. These records are used by Edward and your health care providers to make decisions about your health care and are referred to as the Designated Record Set.

## I. HOW WE USE AND DISCLOSE YOUR PROTECTED HEALTH INFORMATION

**A.** The Privacy Rule allows Edward to use or disclose PHI about you for purposes of treatment, payment, and Edward's health care operations. Edward follows the "minimum necessary" standard. This means each person accessing your PHI makes every reasonable effort to limit the use or disclosure of your PHI to that information necessary to accomplish the intended purpose, job, or request.

**1. Treatment.** Edward may use PHI about you to provide you with medical treatment or services, to coordinate or manage your health care services, or to assist with setting up consultations or referrals as part of your treatment.

For example, Edward may disclose PHI contained in your medical record to doctors, nurses, or other Edward personnel who are involved in taking care of you. Doctors involved in your treatment will need access to your medical records to determine if you have any conditions or medical history that would affect your treatment and care, such as prescriptions, lab work and x-rays. Edward also may disclose your medical records to people outside of Edward who may be involved in your medical care after you leave an Edward facility, including family members, clergy or other health care providers such as nursing homes or home health agencies.

**2. Payment.** Edward may use and disclose your medical records to send bills and collect payment from you, your insurance company or other third parties, for the treatment and other services you may receive from Edward. For example, Edward may need to give your health insurer or HMO information about your treatment so they can pay Edward or reimburse you. Edward may also tell your health insurer or HMO about a treatment you are going to receive in order to obtain approval before you receive the treatment or to determine whether your health plan will cover the treatment.

**3. Health Care Operations.** Edward may use and disclose protected PHI about you for Edward health care operations. These uses and disclosures are necessary to provide quality care and cost-effective services to all patients and residents, including, among other things:

- quality assessment and improvement activities;
- protocol development;
- care management, coordination and related functions;
- competence assessments and performance reviews of Edward employees;
- training, accreditation, certification, licensing, credentialing or other related activities;
- insurance related activities;
- assess your satisfaction with Edward services by asking you to complete a patient satisfaction survey;
- medical review and auditing functions, including fraud and abuse detection and compliance programs;
- conducting or arranging for legal services;
- business planning and development;
- internal patient complaint or grievance resolution;
- business management and general administrative activities;
- creating "de-identified" health information; and
- activities relating to improving health or reducing health care costs.

For example, Edward may:

- use medical records to review its treatment and services and to evaluate the performance of its staff in caring for you;
- combine medical records about many Edward patients to decide what additional services Edward should offer, what services are not needed, and to study the safety and effectiveness of treatments;
- disclose information to doctors, nurses, and other Edward personnel for training purposes;
- combine its medical records with medical records from other hospitals and health care providers to compare how it is doing and find ways to make improvements in its care and services it offers;
- remove information that identifies you from a set of medical records so that others may use it to study health care and health care delivery without learning who the specific patients are; or
- use and disclose medical records to contact you by telephone or in writing as a reminder that you have an appointment for a test or procedure, or to see your doctor.

- 4. Organized Health Care Arrangement.** Edward and DuPage Medical Group, Ltd.; Dupage Medical Group Surgical Center, L.L.C.; and DuPage Medical Group Pain Management Surgery Center, L.L.C., have formed an Organized Health Care Arrangement (“OHCA”). This means the entities participate in joint utilization review and/or quality assurance activities and, with limited exceptions, may use and disclose the PHI contained within the shared EMR System for Treatment, Payment and Health Care Operations purposes at either entity.

Also, Edward and certain non-employed hospital-based medical staff members have organized and are presenting you this Notice as a joint notice. Those physician groups are: Naperville Radiologists, S.C., DuPage Valley Anesthesiologists, Ltd., Associated Pathology Consultants – Edward, L.L.C., DuPage Neonatology Associates, S.C., Pediatric Critical Care Specialists, P.C., Suburban Maternal Fetal Medicine, L.L.C., Fox Valley Radiation Oncology, L.L.C., Cardiac Surgery Associates, S.C., Illinois Urogynecology, Ltd., and Northwestern Medical Faculty Foundation. Protected health information (PHI) from Edward will be shared with these physicians as necessary to carry out their treatment, payment and health care operations. Since we work closely with these physicians, we may share access to your records, in paper, electronic or other forms, to make the flow of information for your health care run smoothly

- 5. Business Associates.** There are some services at Edward that are provided through contracts with business associates. Examples include pharmacy services, certain lab tests, and a copy service we use when making copies of your medical record. When these services are contracted, we may disclose your PHI to our business associate so they can perform the job we’ve asked them to do. Business associates are required to follow portions of the federal privacy law to appropriately safeguard your PHI in the same manner as Edward.
- 6. Fundraising Activities.** By law, Edward may use the following information to contact you in the future to raise money for Edward: name, address, telephone number, dates of service, age, gender, department of service, treating physician, outcome information, and health insurance status. We may also provide this contact information to the Edward Foundation for the same purpose. The money raised will be used to expand and improve the services and programs we provide the community. Opting out of receiving fundraising materials will not affect your medical care or treatment.

If you do not want Edward or its Foundation to contact you for fundraising, you may have your name removed from the contact list. The way for you to opt out of any future fundraising mailings will be described on the correspondence that you receive from Edward.

- 7. Hospital Directory.** Edward may list certain information about you in a hospital directory while you are an inpatient at Edward. This information may include your name, where you are in Edward, a general description of you condition (e.g. fair, stable, etc.) and your religious preference. Unless you choose not to have your information listed or “opt out,” Edward can disclose this information, except for your religious preference, to people who ask for you by name. This information is released so that your family, friends and clergy can call and visit you in the hospital and generally know how you are doing, and so that you can receive flowers, cards or other gifts sent to you during your hospital stay. If you choose to opt out, please call our Admitting Department at (630)527-3350 or in-house extension 7-3350 and ask them to remove you from the Hospital Directory.

- 8. How We Contact You – Appointment Reminders and Confidential Communications.** Edward may contact you to remind you of an appointment you have with us or to give you instruction about a scheduled procedure, etc. We usually communicate in person, by telephone, or in writing - including secure e-mail or secure patient portal. Edward may leave messages for you on the answering machine or voicemail.

If you want to request that we communicate with you in a certain way or at a certain location, see “Right to Request Confidential Communications” in Section III of this Notice.

- 9. Marketing and Sale of PHI.** Edward may use or disclose your PHI to tell you about or recommend possible treatment options or alternatives that may be beneficial to you. For example, your name, address and electronic mail address may be used so that we can send you newsletters or health care bulletins about Edward and the services we provide. We may also send you information about health-related products or services that we or others make available and that we think may be useful or of interest to you. Edward will ask your written authorization if we would like to use your PHI for marketing.

If you do not wish to receive any Edward newsletters or other marketing information, you may have your name removed from the contact list. The way for you to opt out of any future marketing mailings will be described on the correspondence that you receive from Edward or please call our Marketing Department at (630)527-3902.

Edward requires your written authorization for sale of your PHI.

**10. Persons Involved in Your Care or Payment for Your Care.** Edward may release PHI about you to a family member, friend, or someone you designate who is involved in your care or payment of medical bills. Unless you object in writing, Edward may also tell your family or friends your condition and that you are an inpatient at Edward. Edward may also disclose your PHI to an entity authorized to assist in disaster relief so that those who care for you can receive information about your location or health status. If there is someone to whom you do not wish us to disclose the above information, please notify Registration or your healthcare staff.

**11. Research.** Every effort is made to request your specific authorization (permission) if your medical information is used for research purposes. However, we may use or share your medical information if the Board that oversees research, the Institutional Review Board ("IRB), approves a waiver of authorization or a review to prepare for possible research.

**12. Student Disclosures.** Upon your request, Edward will disclose proof of immunizations to a school if they are required by law to have that information. Edward will ask your agreement for our documentation

**Illinois law is more protective of certain information than the Privacy Rule. Accordingly, except as noted in this Notice, Edward will not disclose your information relating to treatment for mental health, psychotherapy notes, developmental disabilities, alcoholism, drug dependence, or information concerning the presence of HIV, antigen or non-antigenic products of HIV or an antibody to HIV, without in each case obtaining your authorization unless otherwise permitted by Illinois or federal law.**

**B.** The Privacy Rule and Illinois law allow Edward to use or disclose your Protected Health Information (PHI) or patient health care records without your authorization or informed consent for a number of special functions and activities, described below

**1. As Required by Law.** Edward is required by law to release your PHI as it relates to federal, state, or local laws regarding these issues and many others:

- Suspected elder abuse
- Relinquishment of an infant 30 days old or less
- Abuse, neglect, physical injury
- Violent crimes and death
- Animal bites
- Injuries due to the discharge of a firearm

**2. Public Health Risks.** Edward is permitted to disclose your PHI for public health activities, including:

- to prevent or control disease, injury or disability, to report vital statistics such as births and deaths, and for public health surveillance or interventions;
- to report the abuse or neglect of children, elders and dependent adults;
- to the FDA, to report adverse reactions or product defects or problems, to track products, to enable product recalls, or to conduct post-market surveillance as required by the FDA; and
- to notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition.

**3. Victims of Abuse, Neglect, or Domestic Violence.** The Privacy Rule allows Edward to notify the appropriate government authority if Edward believes a patient or resident has been the victim of abuse, neglect or domestic violence. Edward will only make this disclosure if you agree, or when required or authorized by law.

**4. Health Oversight Activities.** Edward is permitted to disclose PHI to a health oversight agency for activities authorized by law, including audits, investigations, inspections, licensure or disciplinary activities, and other similar proceedings. Edward may not disclose the PHI of a person who is the subject of an investigation that is not directly related to that person's receipt of health care or the public's benefit.

Examples of this type of reporting include notifying the Center for Disease Control of infectious diseases, reporting adverse events from drugs or medical devices to the Food and Drug Administration, and suspected child abuse.

**5. Disputes, Lawsuits, Administrative Proceedings.** If you are involved in a lawsuit or dispute, the Privacy Rule allows Edward to disclose your PHI in response to a court or administrative order. Edward may also disclose your PHI in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested, if that is required by law. Illinois law may require a court order for the release of patient health records in these circumstances, and may be considered more protective of your privacy than the Privacy Rule.

**6. Law Enforcement.** The Privacy Rule allows Edward to disclose PHI if asked to do so by a law enforcement official for the following purposes:

- In response to a court order, subpoena, warrant, summons or similar process;
- To identify or locate a suspect, fugitive, material witness, or missing person;
- About the actual or suspected victim of a crime if, under certain limited circumstances, Edward is unable to obtain the person's agreement;
- About a death Edward believes may be the result of criminal conduct;
- About crimes that occur at Edward; and
- In emergency circumstances to report a crime, the location of the crime or victims, or the identity, description or location of the person who committed the crime.

Illinois law generally requires a court order for the release of patient health care records in these circumstances, and may be considered more protective of your privacy than the Privacy Rule. However, Illinois law does allow the release of confidential patient health care records when a crime occurs on the premises and a victim is threatened with bodily harm. Illinois law also requires that gunshot wounds or other suspicious wounds, including burns, that are reasonably believed to have occurred as the result of a crime must be reported to the local police or sheriff. The report must include the nature of the wound and the patient's name.

**7. Coroners, Medical Examiners and Funeral Directors.** Edward may disclose PHI to a coroner or medical examiner to identify a deceased person or determine the cause of death. Edward may also release protected health information about you to funeral directors as necessary to carry out their duties.

**8. Decedent's Disclosure of PHI.** Edward may disclose your PHI to family members and others who were involved in your care or payment for your care prior to your death, unless you have told Edward otherwise. Once you have been deceased for 50 years, your HIPAA protections and restrictions no longer apply.

**9. Disaster Relief.** Edward may use or disclose your PHI to appropriate public or private disaster relief organizations engaging in disaster relief efforts, for the purpose of coordinating with such entities to notify your family or other persons involved in your health care of your location, general condition or death. Edward will not make such disclosures if you object, unless Edward determines that restricting the disclosure would interfere with the ability to respond to emergency circumstances.

**10. Organ and Tissue Donation.** Edward may disclose PHI to organ procurement organizations or other organizations who procure, bank, or transplant organs, eyes or tissues or to an organ donation bank to facilitate organ or tissue donation and/or transplantation.

**11. Serious Threat to Health or Safety.** If there is a serious threat to your health and safety or the health and safety of the public or another person, Edward may use and disclose your PHI to someone able to help prevent or lessen the threat

**12. Specialized Government Functions.** In certain circumstances, the Privacy Rule authorizes Edward to use or disclose your PHI to facilitate specified government functions:

- **Military and Veterans.** Edward may disclose the PHI of armed forces personnel as required by military command authorities to assure the success of a military mission. We may also release information about foreign military personnel to the appropriate foreign military authority for the same purposes.
- **National Security and Intelligence Activities.** Edward may disclose your PHI to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.
- **Protective Services for the President and Others.** Edward may disclose your PHI to authorized federal officials so they may provide protection to the President, other authorized persons or foreign heads of state, or conduct special investigations.
- **Medical Suitability Determinations.** Edward may disclose your PHI to the Department of State for use in making medical suitability determinations about a required security clearance or service abroad.
- **Inmates and Law Enforcement Custody.** If you are an inmate of a correctional institution or under the custody of a law enforcement official, Edward may release the PHI of inmates and others in law enforcement custody to the correctional institution or law enforcement official, where necessary (1) for the institution to provide you with health care; (2) to protect your health and safety or the health and safety of others; or (3) for the safety, security, and good order of the correctional institution.

**13. Workers' Compensation.** Edward may release your PHI to the extent necessary to comply with workers' compensation or similar laws that provide benefits for work-related injuries or illnesses.



**14. Other Uses of Medical Information.** Other uses and disclosures of medical information not covered by this Notice will be made only with your written permission. If you provide us permission to use or disclose medical information about you, you may take back that permission, in writing, at any time. If you take back your permission, we will no longer use or disclose the medical information about you for the reasons covered in your authorization. You understand that we are unable to take back any disclosure that Edward has already made with your permission, and that we are required to retain our records of the care that we provided to you.

## II. HITECH

1. Effective September 23, 2009, Edward will notify affected individuals, Department of Health and Human Services and the media, as applicable, of any Breach of unsecured PHI that compromises the security or privacy of the PHI. All suspected Breaches will be investigated and all necessary notifications will be sent in accordance with company policy.
2. **“Breach”** means the unauthorized acquisition, access, use, or disclosure of PHI which compromises the security or privacy of the PHI, except where an unauthorized person to whom such information is disclosed would not reasonably have been able to retain such information.

## III. YOUR RIGHTS REGARDING YOUR PROTECTED HEALTH INFORMATION

You have several rights with regard to the PHI Edward maintains about you. If you wish to exercise any of the following rights please contact the confidential **Compliance Hotline at 1-877-769-3447 or 1-877-7MY-EHHS or the Privacy Officer at (630)527-5861.**

1. **Right to Request Restrictions on Edward’s Uses or Disclosures.** You have the right to request restrictions or limitations on Edward’s uses or disclosures of PHI about you for your treatment, payment of your bill or health care operations.

***Edward is not required to agree to your request.*** If Edward does agree, it will comply with your request unless the information is needed to provide you emergency treatment. If we must disclose this information for your treatment to another healthcare provider, we will ask that provider not to use or disclose the information unless it is for their own treatment purposes.

A request for restriction must be in writing and sent to Edward’s Medical Record Department. Your request for restriction must include:

- (1) what information you want to limit;
- (2) whether you want to limit its use, disclosure or both; and
- (3) to whom you want the restriction to apply (family member, spouse, ex-spouse, etc.)

If you want the restriction to end, you can request verbally, or in writing, that Edward end the restriction. We will document a verbal request to end the restriction in your medical record. Edward may also decide to end the restriction and will inform you if that decision is made.

2. **Insurance Billing Restriction.** If you pay for a service, 100% out-of-pocket and in full, you have the right to request that your insurance company not be billed nor provided with PHI related to such service. This request only applies to Edward Hospital or Edward Medical Group-controlled billing. Third-party billers such as pharmacies, radiologists, and physicians must be contacted separately by you if you want the restriction in place with them also.
3. **Right to Request Confidential Communications.** You have the right to ask that Edward communicate with you about medical matters in a certain way or at a certain location. For example, you may ask that Edward only contact you at work, or only at home, or only by mail. To request confidential communications in a certain way or at a certain location, you must make a request, in writing, to the Edward Medical Records Department. Your request must clearly state how or where you want to be contacted. You do not have to give the reason for your request and Edward will try to accommodate all reasonable requests.
4. **Right to Opt Out.** You have the right to opt out of fundraising communications. See in this Notice, **Section I.A.6. Fundraising Activities** for directions on how to opt out of fundraising communications.

- 5. Right to Inspect and Copy.** You have the right to review and copy a designated set of your medical records. This designated record set usually includes medical and billing records, but may not include psychotherapy notes. You may request a written explanation or summary of the information in your medical or billing records.

A request to review your medical records means that you may examine your designated medical record set at a time or place convenient for both you and Edward.

To request a copy of your medical information, your request must be in writing, and must be submitted to the Edward Medical Records Department.

Edward may charge a reasonable fee for the costs of copying, mailing, or summarizing your medical information after notifying you of the cost involved and giving you the opportunity to withdraw or modify your request before any costs are incurred.

Edward will respond to your request for medical records within 30 calendar days of receiving your completed authorization or will give you written notice why the timeframe cannot be met and the date that Edward will provide your requested records to you.

Edward may deny your request to review and copy your medical records in certain circumstances. If you are denied access to your medical records, in writing, Edward will tell you why, how you may have the denial reviewed, and how you may complain. If you request a review, it will be done by a licensed health care professional chosen by Edward. The person conducting the review will not be the person who denied your request. Edward will comply with the reviewer's findings.

- 6. Right to Amend.** You have the right to ask Edward to amend or change your PHI if, in your opinion, your medical records are incorrect or incomplete, as long as the PHI is kept by or for Edward. A request to amend your medical records must be in writing and must be submitted to the Edward Medical Records Department. Your written request must give the reasons for the amendment. Edward may deny your request for an amendment if it is not in writing or does not include a reason. Edward may also deny your request for amendment if it covers medical records that:

- Were not created by Edward, unless the person who actually created the information is no longer available to make the amendment;
- Are not part of the medical records kept by or for Edward;
- Are not part of the information which you would be permitted to review and copy, as discussed above; or
- Are accurate and complete.

- 7. Right to an Accounting (List) of Disclosures.** You have the right to request an accounting or list of certain disclosures of your PHI made by Edward. We will not include disclosures to you or your legal representative, disclosures to carry out treatment, payment, or healthcare operations, those disclosures made when you signed an authorization, or those disclosures discussed in the sections above.

A request for an accounting or list of disclosures must be in writing and must be submitted to the Edward Medical Records Department. A request for accounting of disclosures must specify a time period, which may not be longer than six years from the date of treatment, and which may not include dates of service before April 14, 2003.

Your written request should tell Edward in what form you want the accounting (for example, on paper). The first accounting you request from Edward within a 12-month period is free of charge. For additional accountings, Edward may charge for its costs, after notifying you of the cost involved and giving you the opportunity to withdraw or modify your request before any costs are incurred.

The list of disclosures will include the following information about the disclosures:

- The date the disclosure was made;
- The name and address of the person or entity to which it was made;
- A brief description of what was disclosed; and
- A brief statement of the purpose of the disclosure.

Edward will attempt to provide the accounting to you within 60 days after receiving your request. If Edward is unable to do so within that timeframe, Edward will give you written notice why the timeframe cannot be met and the date that Edward will provide your accounting to you.

- 8. Right to Breach Notification.** You have the right to be notified, in writing, if your PHI is breached (inappropriately accessed or released). You will receive this notice no later than 60 days after the breach has been discovered by Edward.

- 9. Right to Complain.** You have the right to complain if you think your privacy rights have been violated. To make a complaint, call the Edward Compliance Hotline at 1-877-769-3447 or 1-877-7MY-EHHS and state that you have a complaint regarding a privacy violation. Edward's privacy officer will address your complaint.

To contact the United States Department of Health and Human Services, please call or send mail to

Office for Civil Rights  
U.S. Department of Health and Human Services  
233 N. Michigan Ave., Suite 240  
Chicago, IL 60601  
Voice Phone: (312)886-2359

Edward cannot require you to waive your right to complain in order for you to receive treatment at Edward. Also, Edward will not retaliate against you for making a privacy complaint.

#### **IV. AMENDMENTS TO THIS NOTICE**

Edward reserves the right to amend or change this Notice at any time, in whole or in part. In addition, Edward is required to amend this Notice as necessary due to changes in the Privacy Rule. Each version of the Notice will have an effective date on the first page. Edward reserves the right to make the revised Notice effective for the PHI Edward has at the time the change is made, as well as for any PHI Edward may receive or create in the future. Edward will post a copy of the current Notice in the registration area of Edward facilities as well as on the Edward website at [www.edward.org](http://www.edward.org).

#### **V. CONTACT INFORMATION**

To access your PHI, request confidential communication arrangements, or to request a PHI amendment, restriction, or an accounting (list) of disclosures, submit your written request to Edward, using the address listed below:

Edward Hospital  
Medical Records Department  
801 S. Washington St.  
Naperville, IL 60540

If you have any questions after reading this Notice, please contact the Edward Privacy Officer.

Edward Hospital  
801 S. Washington St.  
Naperville, IL 60540  
(630)527-5861