

NOTICE OF PRIVACY PRACTICES

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

Federal and state laws require us to maintain the privacy of your health information. We are also required to provide 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 10/27/2017 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. We collect and maintain oral, written, and electronic information to administer our business and to provide products, services and information of importance to our patients. We maintain physical, electronic, and procedural security safeguards in the handling and maintenance of our patients' medical information, in accordance with applicable state and federal standards, to protect against risks such as loss, destruction or misuse. 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 HEALTH INFORMATION

We use and disclose health information about you for treatment, payment, and healthcare operations.

Treatment: We may disclose medical information, without your prior approval, to another dentist, a physician, a pharmacist, or other health care provider working in our facility or outside our facility in providing the care you need. We may use or disclose your health information to another dentist or other healthcare providers providing treatment that we do not provide.

Payment: We may use and disclose your health information to obtain payment from your insurance plans (or an employer's sponsored group dental plan) for services we provide to you, 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.

Healthcare Operations: We may use and disclose your health information in connection with our healthcare operations. Healthcare operations include, but are not limited to, quality assessment and improvement activities, reviewing the competence or qualifications of healthcare professionals, evaluating practitioner and provider performance, conducting training programs, accreditation, certification, licensing or credentialing activities.

Your Authorization: You (or your legal representation) may give us written authorization to use your health information or to disclose it to anyone for any purpose. Once you give us authorization to release your health information, we cannot guarantee that the person to whom is provided will not disclose the information. 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. 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 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 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 filled prescriptions, medical supplies, x-rays, or other similar forms of health information.

Unsecured Email: We will not send you unsecured emails pertaining to your health information without your prior authorization. If you do authorize communications via unsecured email, you have the right to revoke the authorization at any time.

SMS Terms and Conditions (Text messages): If you have authorized messaging by selecting SMS YES (Opt In), **the SMS opt-in consent or phone numbers collected for SMS purposes will NOT be shared with third parties or affiliates for marketing purpose.** We will only send you messages about your appointment or information related to your care. You have the right to revoke the authorization at any time by replying STOP to opt out of messaging.

What information we collect and how we collect it:

We collect your information when you check the box to use SMS texting and enter your phone number. We collect the following information when you check the box to opt-in to receive text messages from Pomerado Endodontics. We collect your information when you call to make an appointment and will be ask if we can send SMS texting about your appointments.

What we collect through sms:

Your phone number and relevant information related to your appointment

How we use your information:

We use your phone number to send you text messages in response to your questions (ie replying to your messages) We will send messages about your appointment (ie appointment reminder or offering earlier appointment slots)

We do NOT share your phone number or information to anyone not related to your care. We do NOT send message for marketing purposes.

Your choices and opt-out:

We respect your right to control your communication preferences. You can opt-out of receiving text messages from Pomerado Endodontics at any time by replying with "STOP" to any messages you receive from us.

For assistance, text "HELP" or visit our www.pomeradoendo.com/contact for more information.

Data sharing and security:

We do NOT share your information or phone number or SMS consent with any third party or business for marketing purposes. We maintain appropriate security measures to protect your information from unauthorized access or disclosure.

Data retention:

We will retain your phone number in our electronic medical record if you are a patient of record or in our messaging list as long as you are opted-in to receive messages. Once you opt-out, we will no longer be sending you SMS messages. However, we may retain your phone number in an archived database for legal or compliance purposes, such as record keeping requirements. The archived date will be securely stored and only accessed for authorized purposes.

Modifications:

We reserve the right to update and modify these Terms and Conditions at any time. Any changes will be posted on this page with an updated revision date. By continuing to engage in our services, you agree to be bound by any changes to these terms.

Marketing Health-Related Services: We will not use your health information for marketing communications without your written authorization.

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.

Appointment Reminders: We may use or disclose your health information to provide you with appointment reminders (such as voicemail messages, text message, postcards, or letters). We may also leave a message with a person answering the phone if you are not available.

Business Associates: We may disclose your medical information to our business associates that perform functions on our behalf or provide us with services of the information is necessary for such functions or services. Our business associates are required, under contract with us, to protect the privacy of your information and are not allowed to use or disclose any information other than as specified in our contract.

Data Breach Notification Purposes: We may use your contract information to provide legally required notices of unauthorized acquisition, access, or disclosure of your health information.

Additional Restrictions on Use and Disclosure:

Certain federal and state laws may require special privacy protections that restrict the use and disclosure of certain health information, including highly confidential information about you. "Highly confidential information" may include confidential information" may include confidential information under federal laws governing alcohol and drug abuse information and genetic information as well as state laws that often protect the following types of information: HIV/AIDS, mental health, genetic tests, alcohol and drug abuse, sexually transmitted diseases and reproductive health information, child or adult abuse or neglect, including sexual assault.

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.

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

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 institution or law enforcement official having lawful custody of protected health information of inmate or patient under certain circumstances.

PATIENT RIGHTS

Access: You have the right to look at or receive 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 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 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.)

Disclosure 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 last 6 years, but not before April 14, 2003. 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). 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 how payments will be handled under the alternative means or location you request.

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.

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.

Electronic Notice: If you receive this Notice on our Web site or by electronic mail (e-mail), you are entitled to receive this Notice in written form.

QUESTIONS AND COMPLAINTS:

If you want more information about our privacy practices or have questions or concerns, please contact Lily Tran, Privacy Officer at:

Kenny T. Tran DDS Inc
Pomerado Endodontics
(858) 250-0108 Tel (858) 250-0107 Fax
office@pomeradoendo.com
15525 Pomerado Rd. SteA7
Poway, CA 92064

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 complain to us using the contact information listed. You also may submit a written complaint to the Office for Civil Rights of the U.S. Department of Health and Human Services, 200 Independence Ave, SW, Room 509F, Washington, D.C. 20201. Telephone hotline at 1-800-368-1019.

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.