

APPENDIX II

NOTICES OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

As the owner of the HIPAA policies and practices, Kenton County Airport Board “the Board” is committed to maintaining and protecting the confidentiality of the Individual’s PHI. The Board has designated CVG Airport (CVG) as the authority to uphold these policies. This notice of privacy practices applies to CVG in its entirety as the Covered Entity. Federal and state law, including HIPAA, requires the Board to protect the Individual’s PHI and other personal information. CVG is required to provide the Individual with this notice of privacy practices about these policies, safeguards, and practices. When CVG uses and discloses an Individual’s PHI, it is bound by the terms of this notice of Privacy Practices or the revised notice of Privacy Practices, as applicable.

A. Legal Obligations.

The Board’s obligations by law are to maintain the privacy of PHI (with certain exceptions), give the Individual this notice of the Board’s legal duties and privacy practices regarding health information about the Individual; and follow the terms of the notice of privacy practice that is currently in effect.

B. How the Board may use and disclose PHI.

The following describes the ways CVG may use and disclose PHI. Except for purposes described below, CVG will use and disclose PHI only with the Individual’s written authorization. The Individual may revoke such permission at any time by writing to CVG’s Privacy Officer.

1. For Treatment. CVG may use and disclose PHI for the Individual’s treatment and to provide the Individual with treatment-related health care services. This shall include any CVG disclosures of PHI to doctors, nurses, technicians, or other personnel, including people outside CVG, who are involved in the Individual’s medical care and need information to provide the Individual with medical care.

2. For Payment. CVG may use and disclose PHI so that it or others may bill and receive payment from the Individual, an insurance company, or a third party for the treatment and services the Individual received. This shall include any disclosures CVG must make concerning treatment of an Individual to coordinate or facilitate its health insurance coverage and whether CVG or an insurance company will cover the treatment for the Individual.

3. For Health Care Operations. CVG may use and disclose PHI for health care operations purposes. These uses and disclosures are necessary to make sure that all Individuals receive the treatment that they need and to operate and manage CVG’s offices. This may include sharing information with other EMTs, supervisors, health care plan employees, and other personnel for quality assurance and educational purposes. CVG may also share information

with other entities that have a relationship with the Individual, such as any insurance providers and anyone other than the Individual who pays for the Individual's services, for the Individual's Health Care Operation activities.

4. Health Related Benefits and Services. CVG may use and disclose PHI to tell an Individual about treatment alternatives or health-related benefits and services that may be of interest to the Individual.

5. Third Parties Involved in an Individual's Care or Payment for the Individual's Care. CVG may share PHI with a person who is involved in the Individual's medical care or payment for the Individual's care, such as a family member or close friend. CVG may also notify the Individual's family about the Individual's location or general condition or disclose such information to an entity assisting in disaster relief efforts.

6. As Required by Law. CVG will disclose PHI when required to do so by international, federal, state or local law.

7. To Avert a Serious Threat to Health or Safety. CVG may use and disclose PHI when necessary to prevent serious threat to the Individual's health and safety or the health and safety of others. Disclosures, however, pursuant to this section, will be made only to someone who may be able to help prevent or respond to the threat, such as law enforcement or a potential victim.

8. Business Associates. CVG may disclose PHI to the Board's Business Associates that perform functions on the Board's behalf or provide services if the information is necessary for such functions or services. All of the Board's Business Associates are obligated to protect the privacy of the Individual's information and are not allowed to use or disclose any information other than as specified in agreement with the Business Associate.

9. Military and Veterans. If the Individual is a member of the armed forces, CVG may release PHI as required by military command authorities.

10. Workers' Compensation. CVG may release PHI for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.

11. Public Health Risks. CVG may disclose PHI for public health risks or certain occurrences. These risks and occurrences generally include disclosures to prevent or control disease, injury or disability; report births and deaths; report child, elder or dependent adult abuse or neglect; notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition; and notify the appropriate government authority if CVG has reason to suspect abuse, neglect, or domestic violence.

12. Health Oversight Activities. CVG may disclose PHI to health oversight agencies as authorized by law. Such disclosures can include, but are not limited to,

audits, investigations, inspections, and licensure activities that are necessary for the government to monitor the health care system, government programs, and compliance with the Civil Rights Act.

13. Data Breach Notification Purposes. CVG may use or disclose the Individual's PHI to provide legally required notices of unauthorized access to or disclosure of PHI.

14. Lawsuits and Disputes. If the Individual is involved in a lawsuit or dispute, CVG may disclose PHI in response to a court or administrative order. CVGAA may also disclose PHI in response to a subpoena, discovery request, or other lawful request by someone else involved in the dispute, but only if efforts have been made to tell the Individual about the request or to allow the Individual to obtain an order protecting the information requested.

15. Law Enforcement. CVG may release PHI if asked by a law enforcement official if the information is: (a) in response to a court order, subpoena, warrant, summons or similar process; (b) limited information to identify or locate a suspect, fugitive, material witness, or missing person; (c) about the victim of a crime even if, under certain very limited circumstances, the Board is unable to obtain the Individual's agreement; (d) about a death the Board believes may be the result of criminal conduct; (e) about criminal conduct on the Board's premises; and (f) in an emergency to report a crime, the location of the crime or victims, or the identity, description or location of the person who committed the crime.

16. National Security and Intelligence Activities. CVG may release PHI to authorized federal officials for intelligence, counter-intelligence, and other national security activities authorized by law.

17. Protective Services for the President and Others. CVG may disclose PHI to authorize federal officials so they may provide protection to the President, other authorized persons or foreign heads of state, or to conduct special investigations.

18. Inmates or Individuals in Custody. If the Individual is an inmate of a correctional institution or under the custody of a law enforcement official, CVG may release PHI to the correctional institution or law enforcement official. This release would be necessary: (1) for the institution to provide the Individual with health care; (2) to protect the Individual's health and safety or the health and safety of others; or (3) the safety and security of the correctional institution.

19. 42 CFR Part 2 Records. To the extent that CVG possesses PHI that qualifies as substance use disorder patient records, subject to 42 CFR part 2, CVG will not share that PHI for investigations or legal proceedings against the Individual without (1) written consent or (2) a court order and a subpoena.

C. Uses and Disclosures that Require CVG Airport Authority to Give the Individual an Opportunity to Object or Opt Out.

1. Third Parties Involved in Individual's Care or Payment for Individual's Care. Unless the Individual objects, CVG may disclose to a member of the Individual's family, a relative or a close friend or any other person the Individual identifies, the Individual's PHI that directly relates to that third party's involvement in the Individual's health care. If the Individual is unable to agree or object to such disclosure, CVG may disclose such information as necessary if it determines that it is in the Individual's best interest based on the CVGAA's professional judgment.

2. Disaster Relief. CVG may disclose the Individual's PHI to disaster relief organizations that seek the Individual's PHI to coordinate the Individual's care, or notify family and friends of the Individual's location or condition in a disaster. CVG will provide the Individual with an opportunity to agree or object to such a disclosure whenever the CVGAA practically can do so.

D. Uses and Disclosures that Require the Individual's Written Authorization

- 1. Uses and disclosures of PHI for marketing purposes**
- 2. Disclosures that constitute a sale of the Individual's PHI**
- 3. Other uses and disclosures of PHI**

Any other use or disclosure not specifically covered by this notice of privacy practices, the laws that apply to the Board, or provided for within this HIPAA Policy will be made only with the Individual's written authorization. If the Individual gives authorization, the Individual may revoke it at any time by submitting a written revocation to the CVG's Privacy and Security Officer and CVG will no longer disclose PHI under the authorization. Any disclosures made in reliance on an Individual's authorization before the Individual revoked it will not be affected by the revocation.

E. Notice of Redisclosure

Medical information that is disclosed pursuant to this notice may be subject to redisclosure by the recipient and no longer protected by HIPAA. Laws applicable to the recipient may limit their ability to use and disclose the medical information received – for example, if the recipient is another entity subject to HIPAA or Part 2.

F. Individual's Rights regarding PHI

1. Right to Inspect and Copy. The Plan Member has a right to inspect and copy PHI that may be used to make decisions about the Plan Member's care or payment for the Plan Member's care. This includes medical and billing records. To inspect and copy the Plan Member's PHI, the Plan Member must make a request, in writing, **Protected Health Information Access Request from Individual, Form 1** to the Covered Component in which their care was provided. CVG has up to 30 days to make the Plan Member PHI available to the Plan Member

and may charge the Plan Member a reasonable fee for the costs of copying, mailing or other supplies associated with the Individual's request. CVG may not charge the Plan Member a fee if the Plan Member needs the information for a claim for benefits under the Social Security Act or any other state or federal needs-based benefit program. CVG may deny the Plan Member's request in certain limited circumstances. If CVG denies the Individual's request, the Plan Member has the right to have the denial reviewed by a licensed healthcare professional that was not directly involved in the denial of the Individual's request, and CVGAA will comply with the outcome of the review.

2. Right to Get Notice of a Breach. The Board is committed to safeguarding the Individual's PHI. If a breach of the Individual's PHI occurs, CVG will notify the Individual in accordance with state and federal law.

3. Right to Amend, Correct, and Add by Addendum. If the Individual feels that the PHI CVG has is incorrect, incomplete, or the Individual wishes to add an addendum to the Individual's records, the Individual has the right to make such request for as long as the information is kept by or for CVG. The Individual must make their request in writing, **Request for Correction/Amendment of Protected Health Information, Form 7** to the Covered Component in which their care was provided. In the case of claims that the information is incorrect, incomplete, or if the record was not created by the CVG, the Individual's request may be denied by CVG. However, if any part of the Individual's request is denied, a written explanation of the reasons for doing so will be provided to the Individual within 60 days of the request.

4. Right to an Accounting of Disclosures. Plan Members have the right to request a list of certain disclosures CVG made of PHI for purposes other than treatment, payment, health care operations, and certain other purposes consistent with law, or for which the Individual provided written authorization. To request an accounting of disclosure, Plan Members must submit the request in writing, **Request by Individual for an Accounting of Protected Health Information Disclosures Request Form 6**, to the Covered Component in which the Individual's care was provided. The Plan Member may request an accounting of disclosures for up to the previous six years of services provided before the date of the Individual's request. If more than one request is made during a 12-month period, CVG may charge a cost-based fee.

5. Right to Request Restrictions. Individuals have the right to request a restriction or limitation on the PHI that the CVG uses or discloses for treatment, payment, or health care operations. Individuals also have the right to request a limit on the PHI we disclose to someone involved in the Individual's care or the payment for the Individual's care, like a family member or friend. For example, the Individual could ask that CVG not share information about a particular diagnosis or treatment with the Individual's spouse. To request a restriction, the Individual must make their request, in writing, **Request to Restrict or Opt Out of the Use and Disclosure of Protected Health Information or Terminate Prior Authorization Form 3**, to the Covered Component in which their care was provided. CVG is not required to agree to the Individual's request unless the Individual is asking to restrict the use and disclosure of the Individual's PHI to a health plan for payment or health care operation purposes and such information the Individual wishes to restrict pertains solely to a health care item or service for

which the Individual has paid CVG out-of-pocket in full. If CVG agrees, the Board will comply with the Individual's request unless the information is needed to provide the Individual with emergency treatment or to comply with law. If CVG does not agree, it will provide an explanation in writing.

6. Out-of-Pocket-Payments. If the Individual pays out-of-pocket (or in other words, the Individual has requested that the Board not bill the Individual's health plan) in full for a specific item or service, the Individual has the right to ask that the Individual's PHI with respect to that item or service not be disclosed to a health plan for purposes of payment or health care operations, and the Board will honor that request.

7. Right to Request Confidential Communications. Individuals have the right to request that CVGAA communicate with them about medical matters in a certain way or at a certain location. For example, the Individual can ask that CVG only contact Individuals by mail or at work. To request confidential communications, Individuals must make their request, in writing, **Request for Confidential Communications Form 8**, to the Covered Component in which their care was provided. The Individual's request must specify how or where the Individual wishes to be contacted. The Board will accommodate reasonable requests.

8. Right to Choose Someone to Act for the Individual. If the Individual gives someone medical power of attorney or if someone is the Individual's legal guardian, that person can exercise the Individual's rights and make choices about the Individual's PHI. CVG will use its best efforts to verify that person has authority to act for the Individual before taking any action.

9. Right to a Paper Copy of This Notice of Privacy Practices. Individuals have the right to a paper copy of this notice of privacy practices. Individuals may ask CVGAA to give the Individual a copy of this notice of privacy practices at any time. Even if the Individual has agreed to receive this notice of privacy practices electronically, Individuals are still entitled to a paper copy of this notice of privacy practices. Individuals may obtain a copy of this notice of privacy practices at <https://www.cvgairport.com/about/notice>. To obtain a paper copy of this notice of privacy practices, contact the Covered Component in which the Individual's care was provided.

G. Changes to the Notice of Privacy Practices

The Board reserves the right to change this and make the new notice of privacy practices apply to PHI the Board already has as well as any information it receives in the future. Individuals will be sent information regarding the changes via e-mail or via mail on how they can obtain a new copy. Individuals will be asked to sign off on the new notice of privacy practices upon re-enrollment in applicable health care plans or upon receiving treatment.

H. Complaints

If an Individual believes that their privacy rights have been violated, the Individual may file a complaint with the CVG's Privacy Officer. All Complaints must be made in writing.

Individuals may also contact the Secretary of the Department of Health and Human Services or Director, Office of Civil Rights of the U.S. Department of Health and Human Services. Please contact CVGAA's Privacy and Security Officer if an Individual needs assistance locating current contact information. Individuals will not be penalized or retaliated against for filing a complaint.