



Notice of Privacy Practices  
Revised 11/3/2011

**This notice describes how medical information about you may be used and disclosed and how you can get access to this information. Please review this notice carefully.**

This Notice of Privacy Practices applies to DIATHERIX Laboratories, Inc. ("DLI").

**DLI's Protection of Protected Health Information (PHI)**

Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), DLI is required by law to maintain the privacy of health information that identifies you, called protected health information (PHI), and to provide you with notice of our legal duties and privacy practices regarding PHI. DLI is committed to the protection of your PHI and will make reasonable efforts to ensure the confidentiality of your PHI, as required by statute and regulation. We take this commitment seriously and will work with you to comply with your right to receive certain information under HIPAA.

**DLI's Use and Disclosure of PHI**

As permitted under HIPAA, the following categories explain the types of uses and disclosures of PHI that DLI may make. Some of the uses and disclosures described may be limited or restricted by state laws or other legal requirements; for example, the Clinical Laboratory Improvement Amendments of 1988 (CLIA). Please contact our Compliance Officer with questions or concerns, using the contact information provided at the end of this notice.

**For treatment** - DLI may use or disclose PHI for treatment purposes, including disclosure to physicians, nurses, medical students, pharmacies, and other health care professionals who provide you with health care services and/or are involved in the coordination of your care, such as providing your physician with your laboratory test results.

**For payment** - DLI may use or disclose PHI to bill and collect payment for laboratory services we provide. For example, DLI may provide PHI to your health plan to receive payment for the health care services provided to you.

**For health care operations** - DLI may use or disclose PHI for health care operations purposes. These uses and disclosures are necessary, for example, to evaluate the quality of our laboratory testing, accuracy of results, accreditation functions, and for DLI's operation and management purposes. DLI may also disclose PHI to other health care providers or health plans that are involved in your care for their health care operations. For example, DLI may provide PHI to manage disease or to coordinate health care or health benefits.

**Individuals involved in your care or payment for your care** - DLI may disclose PHI to a person who is involved in your care or helps pay for your care, such as a family member or friend. We also may notify an entity assisting in a disaster relief effort. As allowed by federal and state law, we may disclose the PHI of minors to their parents or legal guardians.

**Business associates** - DLI may disclose PHI to our business associates to perform certain business functions or provide certain business services to DLI. For example, we may use another company to perform billing services on our behalf. All of our business associates are required to maintain the privacy and confidentiality of your PHI. In addition, at the request of your health care providers or health plan, DLI may disclose PHI to their business associates for purposes of performing certain

business functions or health care services on their behalf. For example, we may disclose PHI to a business associate of Medicare for purposes of medical necessity review and audit.

**Disclosure for judicial and administrative proceedings** - Under certain circumstances, DLI may disclose your PHI in the course of a judicial or administrative proceeding, including in response to a court or administrative order, subpoena, discovery request, or other lawful process.

**Law enforcement** - DLI may disclose PHI for law enforcement purposes, including reporting of certain types of wounds or physical injuries or in response to a court order, warrant, subpoena or summons, or similar process authorized by law.

**As required by law** – DLI must disclose your PHI if required to do so by international, federal, state, or local law.

**Public health** - DLI may disclose PHI for public health activities. These activities generally include: 1) disclosures to a public health authority to report, prevent, or control disease, injury, or disability; 2) disclosures to report births and deaths or to report child abuse or neglect; 3) disclosures to a person subject to the jurisdiction of the Food and Drug Administration (FDA) for purposes related to the quality, safety, or effectiveness of an FDA-regulated product or activity, including reporting reactions to medications or problems with products or notifying people of recalls of products they may be using; 4) disclosures 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; and 5) disclosures to an employer about an employee to conduct medical surveillance in certain limited circumstances concerning workplace illness or injury.

**Health oversight activities** - DLI may disclose PHI to a health care oversight agency for activities authorized by law, such as audits, civil, administrative, or criminal investigations and proceedings/actions, inspections, licensure/disciplinary actions, or other activities necessary for appropriate oversight of the health care system, government benefit programs, and compliance with regulatory requirements and civil rights laws.

**Coroners, medical examiners, and funeral directors** - DLI may disclose PHI to a coroner, medical examiner, or funeral director for the purpose of performing some other duty authorized by law.

**Personal representative** – DLI may disclose PHI to your personal representative, as established under applicable law, or to an administrator, executor, or other authorized individual associated with your estate.

**Correctional institution** – DLI may disclose the PHI of an inmate or other individual when requested by a correctional institution or law enforcement official for health, safety, and security purposes.

**Serious threat to health or safety** - DLI may disclose PHI if necessary to prevent or lessen a serious and/or imminent threat to the health or safety of a person or the public or for law enforcement authorities to identify or apprehend an individual.

**Research** - DLI may use and disclose PHI for research purposes. Limited data or records may be viewed by researchers to identify patients who may qualify for their research project or for other similar purposes, so long as the researchers do not remove or copy any of the PHI. Before we use or disclose PHI for any other research activity, one of the following will happen: 1) a special committee will determine that the research activity poses minimal risk to privacy and that there is an adequate plan to safeguard PHI; 2) if the PHI relates to deceased individuals, the researchers give us assurances that the PHI is necessary for the research and will be used only as part of the research; or 3) the researcher will be provided only with information that does not identify you directly.

**Government functions** - In certain situations, DLI may disclose the PHI of military personnel and veterans, including Armed Forces personnel, as required by military command authorities. Additionally, we may disclose PHI to authorized officials for national security purposes, such as protecting the President of the United States, conducting intelligence, counter-intelligence, or other national security activities, and when requested by foreign military authorities. Disclosures will be made only in compliance with US law.

**Workers' compensation** - As authorized by applicable laws, DLI may use or disclose PHI to comply with

workers' compensation or other similar programs established to provide work-related injury or illness benefits.

**De-identified information and limited data sets** - DLI may use and disclose health information that has been “de-identified” by removing certain identifiers, making it unlikely that you could be identified. DLI also may disclose limited health information contained in a “limited data set”. The limited data set does not contain any information that can directly identify you. For example, a limited data set may include your city, county, and Zip code but not your name or street address.

### **Other Uses and Disclosures of PHI**

For purposes not described above, DLI will ask for your written authorization before using or disclosing your PHI. If you sign an authorization form, you may revoke it, in writing, at any time, except to the extent that action has been taken in reliance on the authorization.

### **Patient Rights Regarding PHI**

Subject to certain exceptions, HIPAA establishes the following patient rights with respect to PHI:

**Right to receive a copy of the DLI Notice of Privacy Practices** - You have a right to receive a copy of the DLI Notice of Privacy Practices at any time by contacting us at [kym.creekmore@diatherix.com](mailto:kym.creekmore@diatherix.com), calling us at (866)979-4242 and asking for the DLI Compliance Officer, or by sending a written request to:

Compliance Officer- Kym Creekmore  
DIATHERIX Laboratories, Inc.  
601 Genome Way Ste 4208  
Huntsville, AL 35806

**Right to request limits on uses and disclosures of your PHI** - You have the right to request that we limit: 1) how we use and disclose your PHI for treatment, payment, and health care operations activities; or 2) our disclosure of PHI to individuals involved in your care or payment for your care. DLI will consider your request, but we are not required to agree to it. If we agree to it, we will state the agreed restrictions in writing and will abide by them, except in emergency situations when the disclosure is for purposes of treatment.

**Right to request confidential communications** - You have the right to request that DLI communicate with you about your PHI at an alternative address or by an alternative means. DLI will accommodate reasonable requests.

**Right to see and receive copies of Your PHI** - You have the right to access and receive a copy of PHI that may be used to make decisions about your care or payment for your care. However, federal and state laws that regulate laboratories generally prohibit a lab from providing test results directly to a patient.

**Right to receive an accounting of disclosures** - You have a right to receive a list of certain instances in which DLI disclosed your PHI. This list will not include disclosures of PHI such as those made for treatment, payment, health care operations, or disclosures made based on your written authorization.

**Right to correct or update your PHI** - If you believe that your PHI contains a mistake, you may request, in writing, that DLI correct the information. If your request is denied, we will provide an explanation of the reasoning for our denial.

### **How to Exercise Your Rights**

To exercise any of your rights described in this notice, you must send a written request to:

Compliance Officer- Kym Creekmore  
DIATHERIX Laboratories, Inc.  
601 Genome Way Ste 4208  
Huntsville, AL 35806

**How to Contact Us or File a Complaint**

If you have questions or comments regarding the DLI Notice of Privacy Practices or have a complaint about our use or disclosure of your PHI or our privacy practices, please contact:

Compliance Officer- Kym Creekmore  
DIATHERIX Laboratories, Inc.  
601 Genome Way Ste 4208  
Huntsville, AL 35806

You also may file a complaint with the Secretary of the US Department of Health and Human Services. DLI will not take retaliatory action against you for filing a complaint about our privacy practices.

**Changes to the DLI Notice of Privacy Practices**

DLI reserves the right to make changes to this notice and our privacy policies from time to time. Our current Notice will be found on our website at [www.diatherix.com](http://www.diatherix.com). Changes adopted will apply to any PHI we maintain about you. DLI is required to abide by the terms of our notice currently in effect. When changes are made, we will promptly update this notice on our website. Please review our website periodically to ensure that you are aware of any such updates.