

BIRCH STREET DENTAL CARE
NOTICE OF PRIVACY PRACTICES

Effective Date: 2-16-26

This notice of privacy practices ("Notice") describes how dental record information about you may be used and disclosed and how you can get access to this information. Please review it carefully. If you have any questions about this notice, please contact the HIPAA Privacy Officer identified below.

The information contained in your dental record is personal. We are committed to protecting it. We need this record to provide you with quality care and to comply with certain legal requirements. This Notice applies to all the records of your care generated by this office whether made by your personal dentist or one of the office's employees.

This Notice will tell you about the ways in which we may use and disclose your dental record information. This Notice will also describe your rights and certain obligations we have regarding the use and disclosure of your dental record information.

This office is required by law to:

1. Make sure that dental record information that identifies you is kept private.
2. Give you this Notice of our legal duties and privacy practices with respect your dental record information.
3. Follow the terms of the Notice that is currently in effect.

HOW THIS OFFICE MAY USE AND DISCLOSE YOUR DENTAL RECORD INFORMATION

The following describes the different ways that your dental record information may be used or disclosed by this office. For clarification we have included some examples. Not every possible use or disclosure is specifically mentioned. However, all the ways we are permitted to use and disclose your dental record information will fit within one of these general categories:

For Treatment

We will use dental record information about you to provide you with dental record treatment and services. We may disclose dental record information about you to dentists, hygienists, dental assistants and other office personnel who are involved in providing you treatment.

For Payment

We may use and disclose dental record information about you so that the treatment and services you receive at this office may be billed to and payment may be collected from you, an insurance company or a third party. For example, we may need to give your health plan information about treatment you received here so your health plan will pay us or reimburse you for the treatment. We may also tell your health plan about a treatment you are going to receive to obtain prior approval or to determine whether your plan will cover the treatment.

For Health Care Operations

We may use and disclose dental record information about you for office operations. These uses and disclosures are necessary to run our office and make sure that all our patients receive quality care. For example, we may use dental record information to review our treatment and services and to evaluate the performance of our staff in caring for you. We may also combine dental record information about many of our patients to decide what additional services the office should offer, what services are not needed, and whether certain new treatments are effective. We may also disclose information to dentists, doctors, nurses, technicians, and other office personnel for review and learning purposes. We may remove information that identifies you from this set of dental record information so others may use it to study health care and health care delivery without learning the identity of the specific patients.

Appointment Reminders

We may use and disclose dental record information to contact you as a reminder that you have an appointment for treatment or dental record care at this office.

Treatment Alternatives

We may use and disclose dental record information to tell you about or recommend possible treatment options or alternatives that may be of interest to you.

Health-Related Benefits and Services

We may use and disclose dental record information to tell you about health-related benefits or services that may be of interest to you.

Research

Under certain circumstances, we may use and disclose dental record information about you for research purposes. For example, a research project may involve comparing the

health and recovery of all patients who received one medication to those who received another for the same condition.

As Required by Law

We will disclose dental record information about you when required to do so by federal, state or local law. For example, disclosure may be required by Workers' Compensation statutes and various public health statutes in connection with required reporting of certain diseases, child abuse and neglect, domestic violence, adverse drug reactions, etc.

To Avert a Serious Threat to Health or Safety

We may use and disclose dental record information about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat.

Health Oversight Activities

We may disclose dental record information to a governmental or other oversight agency for activities authorized by law. For example, disclosures of your dental record information may be made in connection with audits, investigations, inspections, and licensure renewals, etc.

Lawsuits and Disputes

If you are involved in a lawsuit or a dispute, we may use your dental record information to defend the office or to respond to a court order.

Law Enforcement

We may release dental record information about you if required by law when asked to do so by a law enforcement official.

Coroners and Medical Examiners

We may release dental record information to a coroner or Medical Examiner to identify a deceased person or determine the cause of death.

USES AND DISCLOSURES REQUIRING AN AUTHORIZATION

Other uses and disclosures of your dental record information not covered by this Notice will be made only with your written authorization. For example, we need your authorization to use or disclose your dental record information for marketing purposes, any use or disclosure of a psychotherapy notes or substance use disorder counseling notes. If you provide us such authorization in writing to use or disclose dental record information about

you, you may revoke that authorization, in writing, at any time, except to the extent that we have acted in reliance of it. If you revoke your authorization, we will no longer use or disclose dental record information about you for the reasons covered by your written authorization. The following are examples of uses and disclosures requiring an authorization:

Marketing

We are required by law to receive your written authorization before we use or disclose your dental record information for marketing purposes, except if the communication is in the form of: (A) a face-to-face communication made by us to you; or (B) a promotional gift of nominal value we provide. If the marketing involves direct or indirect remuneration to us from a third party, the authorization must state that such remuneration is involved. If the marketing involves financial remuneration to us from a third party, the authorization must state that such remuneration is involved.

Sales of PHI

Under no circumstances will we sell our patient lists or your dental record information to a third party without your written authorization. Such authorization must state that the disclosure will result in remuneration to the covered entity.

Substance Use Disorder Treatment Records

We may not use or disclose substance use disorder treatment records received or maintained from substance use disorder treatment programs that are subject to 42 CFR Part 2, or testimony relaying the content of such records, in any civil, criminal, administrative, or legislative proceedings against you, unless: (1) you provide written consent; or (2) a court issues an order after notice and an opportunity to be heard are provided to you or the holder of the record, as required under 42 CFR Part 2. Any court order authorizing use or disclosure must be accompanied by a subpoena or other legal requirement compelling disclosure before the requested record is used or disclosed. If we create or maintain records subject to 42 CFR part 2 and wish to use or disclose such records for our fundraising purposes, we must first provide you with a clear and conspicuous opportunity to elect not to receive any fundraising communications.

YOUR RIGHTS REGARDING YOUR DENTAL RECORD INFORMATION

You have the following rights regarding your dental record information:

Right to Inspect and Copy

You have the right to inspect and copy your dental record information.

To inspect and copy your dental record information, you must submit your request in writing to the HIPAA Privacy Officer. If you request a copy of the information, we may charge a fee for the costs of copying, mailing or other supplies associated with your request.

We may deny your request to inspect and copy in certain very limited circumstances. If you are denied access to your dental record information, you may request that the denial be reviewed. For information regarding such a review contact the HIPAA Privacy Officer.

If your dental record information is maintained in an electronic health record, you also have the right to request that an electronic copy of your record be sent to you or to another individual or entity. We may charge you a reasonable cost-based fee limited to the labor costs associated with transmitting the electronic health record.

Right to Amend

If you feel that dental record information we have about you is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by this office.

To request an amendment, your request must be made in writing and submitted to the HIPAA Privacy Officer. In addition, you must provide a reason that supports your request.

We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that:

- (a) Was not created by us.
- (b) Is not part of the dental record information kept by this office.
- (c) Is not part of the information which you would be permitted to inspect and copy.
- (d) Is accurate and complete.

Right to an Accounting of Disclosures

You have the right to request an “accounting of disclosures.” This is a list of the disclosures this office has made of your dental record information. We are not required to list certain disclosures, including disclosures made for treatment, payment, and health care operations purposes or disclosures made incidental to treatment, payment, and health care operations; however, if these disclosures were made through an electronic health

record, you have the right to request, beginning on dates established by law or regulation, an accounting for such disclosures that were made during the previous 3 years.

To request this accounting of disclosures, you must submit your request in writing to the HIPAA Privacy Officer. Your request must state a time period which may not be longer than six years and may not include dates before April 14, 2003.

Right to Request Restrictions

You have the right to request a restriction or limitation on the use or disclosure we make of your dental record information.

We are not required to agree to your request for a restriction, except as noted below. If we do agree, we will comply with your request unless the information is needed to provide you with emergency treatment.

We are required to agree to your request for a restriction if, except as otherwise required by law, the disclosure is to a health plan for purpose of carrying out payment or health care operations (and is not for purposes of carrying out treatment) and the dental record information pertains solely to an item purchased in connection with your dental care or a dental service for which we have been paid out of pocket in full.

To request restrictions, you must make your request in writing to the HIPAA Privacy Officer.

Right to Request Confidential Communications

You have the right to request that we communicate with you only in a certain manner. For example, you can ask that we only contact you at work or by mail.

To request confidential communications, you must make your request in writing to the HIPAA Privacy Officer. We will accommodate all reasonable requests.

Right to a Paper Copy of This Notice

You have the right to a paper copy of this Notice. Even if you have agreed to receive this Notice electronically, you are still entitled to a paper copy of this Notice.

You may obtain a copy of this Notice at our website at the address listed below.

To obtain a paper copy of this Notice, contact the HIPAA Privacy Officer.

Right to Receive Notice of Discovery of a Breach of Unsecured Protected Dental Record Information

We are required to notify you of any breach of unsecured protected health information concerning you following the discovery of the breach when required by law.

REVISIONS TO THIS NOTICE

We reserve the right to revise this Notice. Any revised Notice will be effective for your existing dental record information and any information we receive in the future. We will post a copy of any revised Notice in this office. Any revised Notice will contain the effective date on the first page. You may obtain a copy of the current Notice each time you are in the office.

COMPLAINTS

If you believe your privacy rights have been violated, you may file a complaint with this office or with the Secretary of the Department of Health and Human Services. All complaints must be submitted in writing. To file a complaint with this office, contact our HIPAA Privacy Officer at 508 N. Birch St. Kalkaska, MI 49646.

THIS OFFICE WILL NOT PENALIZE YOU IN ANY WAY FOR FILING A COMPLAINT.