



## **Your Information. Your Rights. Our Responsibilities.**

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.**

### Your Rights

**When it comes to your health information, you have certain rights.** This section explains your rights and some of our responsibilities to help you.

#### **Get an electronic or paper copy of your medical record**

- You can request to view or obtain an electronic or paper copy of your medical record and other health information we have about you. Ask us how to do this.
- We will provide a copy or a summary of your health information, usually within 30 days of your request. We may charge a reasonable, cost-based fee.

#### **Ask us to correct your medical record**

- You can request to correct health information about you that you think is incorrect or incomplete. Ask us how to do this.
- We may decline your request, but we will tell you why in writing within 60 days.

#### **Request confidential communications**

- You can request that we contact you in a specific way (for example, home or office phone) or to send mail to a different address.
- We will confirm all reasonable requests.



## Your Rights *continued*

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### **Ask us to limit what we use or share**

- You can request that we **do not** use or share certain health information for treatment, payment, or our operations.
    - We are not required to agree to your request, and we may decline this request if it would affect your care.
  - If you pay for a service or health care item out-of-pocket in full, you can ask us not to share that information for the purpose of payment or our operations with your health insurer.
    - We will comply with your request unless a law requires us to share that information.
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### **Get a list of those with whom we've shared information**

- You can request a list (accounting) of the times we've shared your health information for six years prior to the date you ask, who we shared it with, and why.
  - We will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures (such as any you asked us to make). We'll provide one accounting a year for free but will charge a reasonable, cost-based fee if you ask for another one within 12 months.
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### **Get a copy of this privacy notice**

- You can request a paper copy of this notice at any time, even if you have agreed to receive the notice electronically. We will provide you with a paper copy promptly.
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### **Choose someone to act for you**

- If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information.
  - We will ensure the person has this authority and can act for you before we take any action.
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## Your Rights *continued*

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### **File a complaint if you feel your rights are violated**

- You have the right to file a complaint with us if you feel we have violated your rights using the information on page 1.
- You can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, SW, Washington, D.C. 20201, calling 1-877-696-6775, or visiting [www.hhs.gov/ocr/privacy/hipaa/complaints/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/).
- We will not retaliate against you for filing a complaint.

## Your Choices

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**For certain health information, you can inform us about your choices and what we share.** If you have a clear preference for how we share your information in the situations described below. Inform us, in writing, of any changes and instructions.

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### **In these cases, you have both the right and choice to tell us to:**

- Share information with your family, close friends, or others involved in your care
- Share information in a disaster relief situation
- Include your information in a hospital directory
- Contact you for fundraising efforts

*If you are not able to tell us your preference, for example if you are unconscious, we may go ahead and share your information if we believe it is in your best interest. We may also share your information when needed to lessen a serious and imminent threat to health or safety.*

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**In these cases, we never share your information unless you give us written permission:**

- Marketing purposes
- Sale of your information
- Most sharing of psychotherapy notes

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**In the case of fundraising:**

- We may contact you for fundraising efforts, but you can opt out.

## Our Users and Disclosures

**How do we typically use or share your health information?** We typically use or share your health information in the following ways:

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<b>Treat you</b>	<ul style="list-style-type: none"><li>• We can use your health information and share it with other professionals who are treating you, with a signed release of information.</li></ul>	<i>Example: A doctor treating you for an injury asks another doctor about your overall health condition.</i>
<b>Run our organization</b>	<ul style="list-style-type: none"><li>• We can use and share your health information to run our practice, improve your care, and contact you when necessary.</li></ul>	<i>Example: We use health information about you to manage your treatment and services.</i>
<b>Bill for your services</b>	<ul style="list-style-type: none"><li>• We can use and share your health information to bill and get payment from health</li></ul>	<i>Example: We give information about you to your health insurance plan so it will pay for your services.</i>

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**How else can we use or share your health information?** We are allowed or required to share your information in other ways – usually in ways that contribute to the public good, such as public health and research. We have to meet many conditions in the law before we can share your information for these purposes. For more information, see [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html).

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**Help with public health and safety issues**

- We can share health information about you for certain situations such as:
    - Preventing disease
    - Helping with product recalls
    - Reporting adverse reactions to medications
    - Reporting suspected abuse, neglect, or domestic violence
    - Preventing or reducing a serious threat to anyone’s health or safety
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**Do research**

- We can use or share your information for health research.
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**Comply with the law**

- We will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we’re complying with federal privacy law.
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**Respond to organ and tissue donation**

- We can share health information about you with organ procurement organizations.
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**Work with a medical examiner or funeral**

- We can share health information with a coroner, medical examiner, or funeral director when an individual dies.
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**Address workers' compensation, law enforcement, and other government requests**

- We can use or share health information about you:
  - For workers’ compensation claims
  - For law enforcement purposes or with a law



enforcement official

- With health oversight agencies for activities authorized by law
- For special government functions such as military, national security, and presidential protective services

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**Respond to lawsuits and legal actions**

- We can share health information about you in response to a court or administrative order, or in response to a subpoena.

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**Our Responsibilities**

- We are required by law to maintain the privacy and security of your protected health information.
- We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.
- We must follow the duties and privacy practices described in this notice and give you a copy of it.
- We will not use or share your information other than as described here unless you tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you change your mind.

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For more information, see [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html).



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## Changes to the Terms of This Notice

We reserve the right to modify and update the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available upon request, in our office, and on our web site.

**This Notice of Privacy Practices applies to any department, operating unit, or employee of SmartClinix and any healthcare provider who may be accessing or entering data pertaining to you. This Notice also applies to any subsidiary, department, operating unit or employee of American TelePhysicians, the parent company of SmartClinix. You may contact SmartClinix or American TelePhysicians via our website, phone, email or postal mail at the following:**

**[www.smartclinix.net](http://www.smartclinix.net)  
888-666-2042  
[info@americantelephysicians.com](mailto:info@americantelephysicians.com)  
10752 Deerwood Park Boulevard  
Suite 100  
Jacksonville, FL 32256**

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## **The SmartClinix Website**

The SmartClinix Website ("website") and related services (collectively, the "services") are owned and operated by SmartClinix ("SmartClinix", "we", "us", or "our"). We have developed this Privacy Policy ("policy") to inform our users ("user(s)", "you", or "your") about how we collect data through our services, how we use the collected data, and your rights with respect to the collected data.

SmartClinix is hosted and operated in the United States. If you use the services from outside the United States, please be aware that the information you provide to us is transmitted to, processed, and stored in the United States. Data will be collected, processed, maintained, and used subject to this policy and applicable privacy laws in the United States.

Please read this policy carefully. If you do not agree to be bound by this policy, then do not access or use the services. By accessing and/or using the services, you accept and agree to be bound by this policy.

### **Information You Provide**

When you register to use our services, place an order, set-up an account, respond to communications, contact us via phone, email, or postal mail, and so on, we will collect certain types of information that you provide to us. This may include:

- Your first and last name(s), mailing address, email address, phone number, organization, payment information, geolocation information, and/or your IP address.
- By using our services, you may be providing information about your personal health history and other medical data. Our site will also maintain medical information that is a part of your interactions with healthcare professionals associated with the site, as well as any medical information that those providers produce during your treatment.
- By using our services, you may also choose to disclose or provide your communication preferences, your physical location, and your demographic information. This type of data is called personal data because it can be used to identify you.
- You may choose to allow us to access your location by granting the site access to your location when prompted or through your device's location services settings. You may change these settings on your device.





- If you choose to access, visit, and/or use any third-party social networking service that may be integrated with our services, we may receive your personal data and any other information about you and your computer, mobile, or other device that you have made available to those social networking services, including information about your contacts on those services. You should make sure you are comfortable with the information your third-party social networking services may make available to our service by visiting those services' privacy policies and/or modifying your privacy settings directly with those services.

## **Data We Collect**

When you use the site, we collect and process the following types of information:

- When you connect to SmartClinix, we are able to recognize the internet (IP) address of the computer providing you with internet access. Our use of this IP address may be to help diagnose problems with our server or otherwise administer our services. This IP address may also be used to gather broad demographic information. Your IP address is never associated with you as an individual (unless you have first logged into your account with your personal log-in information) and is never provided to another company or organization.
- Information about your use of our services, including but not limited to your Internet connections, computer equipment, web browsers, sites visited before using or accessing our site, sites visited after leaving our site, and other similar information about traffic and usage as you navigate to, through, and away from our site. This non-personal data does not identify you, but may become linked to you and/or your account only after you submit certain types of personal data to us, e.g., logging into your site account. This does not apply, however, after you leave our site.
- We use automated data collection tools, such as Cookies and Web Beacons, to collect certain types of non-personal data. By using our services, you acknowledge that we use these data collection tools. You can set your browser to reject Cookies, but that may limit your use of some convenience features on the site. Web Beacons are tiny graphics with a unique identifier that may be included on our site for several purposes, including to deliver or communicate with Cookies, to track and measure the performance of our site, and to monitor how many visitors view our site.
- You may be given the option to receive push notifications while using our site. In order to serve push notifications, we may need to collect your IP address and a persistent identifier from your device. You can turn off push notifications in your device settings.



## Use of Data

- We use information collected to store your preferences, improve website navigation, make personalized features and other services available to you, generate statistical information, and monitor and analyze user traffic and usage patterns. We also use information collected to monitor to prevent fraud, investigate complaints and potential violations of our policies, and to improve our content and products, services, and other materials.
- Where you provide registration information, Cookies can also be used to identify you when you log onto the site or portions of the site.
- We may identify you from your personal data and merge or co-mingle personal data and non-personal data for lawful business purposes, including, but not limited to:
  - To respond to your requests and provide user support.
  - To evaluate and improve the content of our services.
  - To customize the services to your preferences.
  - To establish accounts to use the services.
  - To communicate information and promotional materials to you (where you have not expressed a preference otherwise).
  - To check on your account status and maintain a record of activities in connection with your use of the site.
  - To notify you of any changes to relevant agreements or policies.
  - For research analytics.
  - To enforce our agreements, terms, conditions, and policies.
  - To work with our service providers who perform certain business functions or services on our behalf and who are bound by contractual obligations consistent with this Privacy Policy.
  - To prevent or investigate fraud (or for risk management purposes), or to comply with a legal obligation, court order, or in order to exercise our legal claims or to defend against legal claims.



- To conduct aggregate analysis and develop business intelligence that helps us to enhance, operate, protect, make informed decisions and report on the performance of our services.
- To describe our services to current and prospective business partners and to other third parties for other lawful purposes.
- For other purposes identified to you and as requested by you.
- You have the right to withdraw your consent to such use at any time by contacting us via the contact information in this document.
- We may also use your information in the following ways:
  - To share your information with our corporate parents, subsidiaries, other affiliated entities, and associated entities only for the purposes described in this policy.
  - To send email and postal mail, if you have consented to such use.
  - To process any requests made by you.
  - To process any commercial transaction, including fulfilling an order or subscription request.
  - To process your personal data as described throughout this policy.
- If you have created an account or initiated a purchase through our services, we may also use your information:
  - To establish your account.
  - To validate your username, email, password, and/or other login credentials.
  - To respond to your requests.
  - To fulfill your purchase(s).
  - To send you email and postal mail supplying you with the most recent service information or to send you information about your order.
  - To notify you of any changes to relevant agreements or policies.
  - To process your non-personal data as outlined in this policy.



We may use third-party email providers to deliver these communications to you. This is an opt-in email program.

## Sharing of Data

- We do not sell or rent personal data to any third parties, except in situations where we have a relationship with a trusted third party, as follows:
  - Corporate affiliates, including corporate parents, subsidiaries, and other affiliated entities. These third parties are required to treat the information in accordance with this policy.
  - Service providers that help us administer and provide the services, such as a web hosting company. These third party services providers have access to your personal data only for the purpose of performing services on our behalf. We have entered into contractual relationships with these providers and require them to comply with all applicable data privacy laws and regulations and house the data only for the purposes for which it was disclosed.
  - Authorized third parties who are directly authorized by you to receive the applicable data. The use of your data by an authorized third party is subject to that third party's privacy policy.
  - Third parties in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings), in which case we will require the recipient to use such information in accordance with this policy.
  - As we believe necessary: (i) under applicable law; (ii) to enforce applicable terms and conditions; (iii) to protect our rights, privacy, safety or property, and/or that of our affiliates, you, or others; (iv) to detect, prevent, or otherwise address fraud, security or technical issues; (v) to respond to claims that contact information of a third party has been posted or transmitted without their consent or as a form of harassment; and (vi) to respond to requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include authorities outside your country of residence.
  - Pursuant to your explicit approval prior to the disclosure.
  - We may share aggregated, de-identified data with our partners to let them know how many users viewed and interacted with their materials.



### **Third Party Service Providers**

We allow access to our database to third party service providers who help us operate our services, such as technical maintenance, market research, community and forums management, and personal/job search functionality. These providers may collect, store, and/or process information.

We use commercially reasonable efforts to engage with third parties that post a privacy policy governing their collection, processing, and use of non-personal and personal data. While we may seek to require such third parties to follow appropriate privacy policies and will not authorize them to use this information except for the express purpose for which it is provided, by accepting the terms of this policy, you agree that we do not bear any responsibility for any actions or policies of third parties.

For more information about third party advertisers and how to prevent them from using your information, visit the NAI's consumer website at <http://www.networkadvertising.org/choices> or <http://www.aboutads.info/choices>. If you do want to opt out of using these tools, you must opt out separately for each of your devices and for each web browser that you use on each device.

### **Data Security**

We take reasonable steps to safeguard the personal data that you provide. This includes Secure Sockets Layer (SSL) encrypted connections (HTTPS) to the web site(s) on our service(s), and secure multi-tiered firewalls. Portions of your data may also be encrypted on our storage server for additional security, secure cloud-based environments and uses server authentication, and industry standard firewalls in an effort to prevent interference or access from outside intruders. We also require unique account identifiers, user names, and passwords that must be entered each time users log into their accounts, or use of secure password credentials to an authorized third party portal.

Transmission of information via the internet is not wholly secure and we cannot guarantee the security of your personal data, or any other information, transmitted to or through any of our services. Any transmission of personal data or other information is at your own risk. We cannot guarantee or warrant the security of any information you disclose or transmit to us or that are otherwise provided to us and we cannot be responsible for the theft, destruction, or inadvertent disclosure of information. By using our service(s), you acknowledge and accept these risks.

It is your responsibility to safeguard any passwords, ID numbers, or other special access features associated with your use of the service(s). Any transmission of



information is at your own risk. By using our service(s), you acknowledge and accept these risks.

### **Data Retention**

Unless otherwise requested by you, we may retain your data for an indefinite time period. If you request to delete/purge your data, we will retain your data only for the period necessary to fulfill the purposes outlined in this policy, unless a longer retention period is required or permitted by law. At any time, users may request deactivation of their accounts by emailing [info@americantelephysicians.com](mailto:info@americantelephysicians.com).