

NOTICE 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.

Physicians DataTrust (PDT) is required by law to maintain the privacy of protected health information, to provide you with notice of its legal duties and privacy practices with respect to protected health information, and to abide by the terms of the privacy notice currently in effect. PDT is committed to safeguarding all personal health information and to protecting the privacy rights of our members in accordance with state and federal laws. We consider this information private and confidential and have policies and procedures in place to protect the information against unlawful use and disclosure. We will adhere to these policies and procedures using reasonable and sound business practices.

PDT does not share personal health information (such as medical records) except when required for treatment, payment, or to conduct health care operations. In certain circumstances, we may share your personal health information if permitted or required by law or if you have personally authorized us in writing to share this information. We maintain physical, electronic, and procedural safeguards that restrict unauthorized access to your personal health information. These security procedures include restricted access to buildings, locked files and information system security measures such as user passwords, data encryption and firewall technology.

PDT employees are required to comply with our policies and procedures to protect the confidentiality of all personal health information. Any employee who violates our privacy policy is subject to a disciplinary process. Our employees have access to private information only on a “need to know” basis. For example, they may require access to your protected health information to make benefit determinations, pay claims, manage care, underwrite coverage, or provide customer service.

PDT collects various types of information about its members in order to provide customer service, evaluate benefits and claims, and fulfill other legal and regulatory requirements. We will provide members access to this information and the ability to review, amend, correct or copy this information, if we are required to do so under applicable laws. The methods we use to protect this information are similar to those described above to protect health information. The following are examples of information we collect:

Information we receive directly or indirectly from you or your health plan through applications, surveys, or other forms, in writing, in person, by telephone, or electronically (e.g., name, address, social security number, date of birth, marital status, dependent information, employment information, medical history).

Information about your relationship and transactions with us, our affiliates, our providers, and others (e.g., health care claims an encounter information, medical history, eligibility information, payment information, and service request, appeal and grievance information).

PDT does not disclose private health information to anyone, except with member authorization or as otherwise permitted by law. Disclosures permitted by law and not requiring your prior authorization typically include, but are not limited to, those described below.

When necessary for a member’s care or treatment, the operation of PDT’s business, the operation of our independent provider organizations, or other related activities, we use protected health information internally, share it with our affiliates, and disclose it to health care providers involved in providing your treatment (e.g., doctors, dentists, pharmacies, hospitals and other caregivers), other insurers, third party administrators, payors (e.g., health care provider organizations, and others who may be financially responsible for payment for the services or benefits you receive under your plan), vendors, consultants, government authorities, and their respective agents. These parties are also required to keep private health information confidential as provided by applicable law or pursuant to a written agreement with PDT. Some examples of information that we collect and the reasons it might be disclosed to third parties:

- Administration of health benefits policies or contracts, which may involve claims payment and management; utilization review and management; medical necessity review; coordination of care, benefits and other services; response to member inquiries or requests for services; building awareness about our products and programs; conduct of grievance, appeals, and external review programs; benefits and program analysis and reporting; fulfillment; risk management; detection and investigation of fraud and other unlawful conduct; auditing, administration of reinsurance and excess or stop loss insurance policies and coordination with reinsurance and excess or stop loss insurers; and other activities described below.
- Operation of preventive health, early detection and disease and case management programs in plans that offer these programs, through which we or our affiliates or contractors send educational materials and screening reminders to eligible members and providers; perform risk and health assessments; identify and contact members who may benefit from participation in disease or case management programs; and send relevant information to those members who enroll in the programs and their providers.
- Quality assessment and improvement activities, such as peer review and credentialing of participating network/preferred providers; program development; and accreditation by the National Committee for Quality Assurance, American Accreditation HealthCare Commission (URAQ), and other independent organizations, where applicable.
- Performance measurement and outcomes assessment; health claims analysis and reporting, and health services research.
- Data and information systems management.
- Performing mandatory licensing, regulatory compliance/reporting, and public health activities; responding to requests for information from regulatory authorities, responding to government agency or court subpoenas as required by law, reporting suspected or actual fraud or other criminal activity; conducting litigation, arbitration, or similar dispute resolution proceedings; and performing third-party liability, subrogation, and related activities.
- Transfer of policies or contracts from and to other insurers, HMOs or third party administrators; and facilitation of due diligence activities in connection with the purchase, sale or transfer of health benefits plans.
- If you receive health care benefits pursuant to an employee welfare benefit plan, PDT may disclose protected health information to the plan sponsor at the request of the plan, provided the plan documents authorize such a disclosure.

In addition, we may disclose private health information to affiliated entities or nonaffiliated third parties as otherwise permitted by law. For other purposes, we seek special authorization before disclosing the information. In the event that a special authorization is required but the member in question is unable to give the authorization (for example, if the member is medically unable to do so), we will accept the authorization from any person legally permitted to give the authorization on behalf of the member.

To authorize us to disclose any of your personal health information to a person or organization or for reasons other than those described above, please call **800-458-2307** to ask for a special authorization form. When you receive the form, fill it out and send it to us at the following address:

***Physicians DataTrust
161 Thunder Drive, Suite 212
Vista, CA 92083***

If you fill out an authorization form and later change your mind about the authorization, send a letter to us at the same address, letting us know that you would like to revoke the special authorization. Please provide your name, address, member identification number and telephone number where we can reach you in case we need to contact you about your request. PDT shall not be liable for disclosures of protected health information made pursuant to a written authorization and prior to PDT's receipt of your notice of revocation.

You have the right to request restrictions on PDT's use and disclosure of your protected health information; however, PDT is not required to agree to your requested restrictions and may instead choose to cease providing services on your behalf.

You have the right to inspect and copy your protected health information, at your expense, unless applicable law contains an exception to your right to amend such information.

You have the right to request and receive an accounting of PDT's disclosure of protected health information to third parties in the 10 years prior to the request, except such disclosures of protected health information as are permitted by law to be made without an accounting, unless applicable law contains an exception to your right to an accounting.

You have a right to obtain a paper copy of this notice from PDT upon request.

If you have any questions about this notice or require additional information about PDT's privacy practices, or if you believe this policy has been violated with respect to information about you or your dependents, please follow the grievance procedures through your health plan. You may also contact and file a complaint with the Secretary of Health and Human Services pursuant to the procedures set forth in 45 C.F.R. § 160.306. You will not be retaliated against for filing the complaint.

PDT reserves the right to change the terms of this notice at any time in its sole discretion, and to make the new notice provisions effective for all protected health information it receives and/or maintains after the effective date. You will receive notice of any material revisions to PDT's notice of privacy practices in writing prior to the effective date of such amendment and will be informed how to obtain a revised copy of the notice. The most recent version of our notice of privacy practices also can be accessed on our website at [**www.pdtrust.com**](http://www.pdtrust.com)

This notice is updated and effective as of April 30, 2019.