

**DAVID STOKER, M.D.  
MARINA VIEW SURGERY CENTER  
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.**

**WHO WILL FOLLOW THIS NOTICE?**

This Notice describes the practices of David Stoker, M.D. and Marina View Surgery Center and the practices that will be followed by all of David Stoker, M.D. and Marina View Surgery Center workforce members who handle your medical information.

**OUR PLEDGE REGARDING YOUR PROTECTED HEALTH INFORMATION**

David Stoker, M.D. and Marina View Surgery Center understands that medical information about you and your health is personal. We are committed to protecting medical information about you. We maintain our records and conduct our treatment environment with a goal of providing the highest level of protection for your medical information, while still providing you with the highest level of medical care. This Notice applies to all of the records of your medical care which are received or created by David Stoker, M.D. and/or Marina View Surgery Center.

Your other medical treatment providers (e.g., doctors, hospitals, home health agencies, etc.) may have different policies or notices regarding the use and disclosure of your medical information.

This Notice will tell you about the ways in which David Stoker, M.D. and Marina View Surgery Center may use and disclose medical information about you. Your medical information, also referred to as "protected health information," is that information about you, including demographic information, that may identify you and that relates to your past, present or future physical or mental health information and related health care services.

In this Notice, we also describe your rights and certain obligations David Stoker, M.D. and Marina View Surgery Center has regarding the use and disclosure of your protected health information. We are required by law to:

- \* make sure that medical and other information that identifies you (protected health information) is kept private;
- \* give you this Notice of our legal duties and privacy practices with respect to protected health information about you; and
- \* follow the terms of the Notice that is currently in effect.

**USES AND DISCLOSURES FOR TREATMENT, PAYMENT AND HEALTH CARE OPERATIONS**

By becoming a patient of David Stoker, M.D. and/or Marina View Surgery Center, you are giving consent for David Stoker, M.D. and Marina View Surgery Center to use your protected health information for certain activities, including treatment, payment and other health care operations. Sometimes, you may hear these three activities referred to as "TPO." First of all, we may use and disclose protected health information about you so that David Stoker, M.D. and/or Marina View Surgery Center and its medical professionals can treat you. For example, we may use your past medical information in order to diagnose your present condition or we may provide information regarding your medical condition to another doctor to whom we refer you for additional care. We may also use and disclose protected health information about you so that we may be paid for the medical treatment we provide you. For example, we will submit

protected health information about you to your insurance company in order to receive payment for services we have provided to you. We may also use and disclose protected health information about you for David Stoker, M.D. and Marina View Surgery Center's health care operations, in other words, those other tasks that we need to perform to make sure that you are provided the highest quality of medical care. For example, we may use your protected health information to evaluate how we can better meet your needs or to be used as necessary support for day to day activities and management such as an auditor who reviews our books so that we can keep accurate records, support budgeting and financial records for evaluation and quality improvement.

## **OTHER USES AND DISCLOSURES OF YOUR PROTECTED HEALTH INFORMATION**

The following uses of your protected health information may be made without any additional authorization from you.

### **USES AND DISCLOSURES FOR APPOINTMENT REMINDERS**

We may use and disclose your medical information to contact you as a reminder that you have an appointment at the office. If you request that such communications be made confidentially, please contact our office in writing at 4640 Admiralty Way, Suite 1000, Marina del Rey, CA 90292. We will accommodate all reasonable requests.

### **USES AND DISCLOSURES TO OTHERS INVOLVED IN YOUR HEALTH CARE**

We may disclose to a member of your family, a relative, a close friend, or any other person you identify, your protected health information that directly relates to that person's involvement in your medical care. If you are unable to agree or object to this disclosure, we may disclose such information as necessary if we determine that it is in your best interests based on our professional judgment. We may also use or disclose protected health information to notify or assist in notifying a family member, personal representative or any other person that is responsible for your care of your location, general condition, or death. Finally, we may use or disclose your protected health information to an authorized public or private entity to assist in disaster relief efforts and to coordinate uses and disclosures to family or other individuals involved in your health care.

### **USES AND DISCLOSURES IN EMERGENCY SITUATIONS**

We may use or disclose your protected health information in an emergency treatment situation. If this happens, your physician will attempt to obtain your acknowledgment of this Notice as soon as reasonably practicable after the delivery of treatment.

### **USES AND DISCLOSURES FOR HEALTH-RELATED BENEFITS OR SERVICES**

From time to time, David Stoker, M.D. and Marina View Surgery Center may use and disclose protected health information to tell you about certain health-related benefits or services that may be of interest to you. Your health information may be used by staff members or disclosed to other health care professionals for the purpose of evaluating your health, diagnosing medical conditions, and providing treatment. For example, results of laboratory tests and procedures will be available in your medical record to all health professionals who may provide treatment or who may be consulted by staff members.

### **USES AND DISCLOSURES REQUIRED BY LAW**

We will use or disclose protected health information about you when required to do so by federal, state, or local law. The use or disclosure will be made in compliance with the law and will be limited to the relevant requirements of the law. You will be notified, if the law requires us to do so, of any such uses or disclosures. We must make disclosures to you and when required by the Secretary of the Department of Health and Human Services to investigate or determine our compliance with the law.

## **USES AND DISCLOSURES FOR PUBLIC HEALTH ACTIVITIES**

We may disclose your protected health information for public health activities and disclosure for such purposes will be to a public health authority that is permitted by law to collect or receive the information. The disclosure will be made for purposes such as controlling disease, injury or disability. Disclosures to public health authorities may include disclosure to a foreign authority that is working with the public health authority.

## **USES AND DISCLOSURES RELATED TO COMMUNICABLE DISEASES**

We may disclose your protected health information, if authorized by law, to a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading the disease or condition.

## **DISCLOSURES FOR HEALTH OVERSIGHT ACTIVITIES**

We may disclose protected health information to a health oversight agency for activities authorized by law. These activities include, for example, audits, investigations, and inspections. These activities are necessary for the government to monitor the health care system, the delivery of health care, government benefit programs, other government regulatory programs and civil rights laws.

## **DISCLOSURES OF ABUSE OR NEGLECT**

We may disclose your protected health information to a public health authority authorized by law to receive reports of child abuse or neglect. In addition, we may disclose your protected health information if we believe that you have been a victim of abuse, neglect or domestic violence to a governmental entity or agency authorized to receive such information. In such cases, the disclosure will only be made in accordance with California law.

## **DISCLOSURES TO THE FOOD AND DRUG ADMINISTRATION**

We may disclose your protected health information to a person or company required by the Food and Drug Administration (FDA) to report adverse events, product defects or other problems, biologic product deviations, track products; to enable product recalls; to make repairs or replacements; or to conduct post-market surveillance, as required.

## **DISCLOSURES FOR LAWSUITS AND DISPUTES**

If you are involved in a lawsuit or a dispute, we may disclose protected health information about you in response to a court order or administrative order. We may also disclose protected health information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.

## **DISCLOSURES TO LAW ENFORCEMENT**

We may release protected health information if asked to do so by a law enforcement official, in response to a court order, subpoena, warrant, summons, or similar process. Other related disclosures may include disclosures relating to individuals who are Armed Forces personnel, to national security and intelligence agencies, as well as disclosures to authorized federal officials for the protection of the President of the United States or other authorized persons or foreign heads of state.

## **DISCLOSURES TO CORONERS, FUNERAL DIRECTORS, AND ORGAN DONATION**

We may disclose protected health information about you to a coroner or medical examiner for identification purposes, determining cause of death, or for the coroner or medical examiner to perform other duties required by law. We may also disclose protected health information about you to a funeral director in order to permit the funeral director to carry out legal duties, and may do so if death is reasonably anticipated. Your protected health information may also be disclosed for certain organ donations to which you may have agreed.

## **DISCLOSURES FOR RESEARCH**

We may disclose your protected health information to researchers when their research has been approved and protocols have been established to ensure the privacy of your information. We may also disclose a limited set of your information, as allowed under the law, for research purposes.

## **DISCLOSURES RELATED TO CRIMINAL ACTIVITY**

We may disclose your protected health information, consistent with federal and California laws, if we believe that the use or disclosure is necessary to prevent or lessen a serious or imminent threat to the health or safety of a person or the public, or if it is necessary for law enforcement authorities to identify or apprehend an individual.

## **DISCLOSURES FOR WORKERS' COMPENSATION**

We may release protected health information about you for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.

## **YOUR RIGHTS REGARDING PROTECTED HEALTH INFORMATION ABOUT YOU**

**Right to Inspect and Copy.** You have the right to inspect and copy protected health information that may be used to make decisions about your medical care. Usually this right includes both medical and billing records. You must submit your request in writing. 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. Your request to inspect and copy your information may only be denied in very limited circumstances and you have a right to request that any such denial be reviewed.

**Right to Request Restrictions.** You have the right to request that we restrict the use and disclosure of your protected health information for treatment, payment and health care operations. We are not required to agree to your request. If we do agree, we will comply with your request unless the information is needed to provide you emergency treatment. To request restrictions, you must make your request in writing to 4640 Admiralty Way, Suite 1000, Marina del Rey, CA 90292. In your request, you must tell us (1) what information you want to limit; (2) whether you want to limit our use, disclosure, or both; and (3) to whom you want the limits to apply.

**Right to Confidential Communications.** You also have the right to request to receive private health information communications by alternative means or at alternative locations. 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 4640 Admiralty Way, Suite 1000, Marina del Rey, CA 90292. We will not ask you the reason for your request. We will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

**Right to Amend.** If you feel that the protected health information we have about you is incorrect or incomplete, you have the right to request that your protected health information be amended. Only the health care entity (e.g., doctor, hospital, clinic, etc.) that created your protected health information is responsible for amending it. For more information regarding the procedures for submitting such a request, contact 4640 Admiralty Way, Suite 1000, Marina del Rey, CA 90292.

**Right to an Accounting of Disclosures.** You have a right to an accounting of disclosures of your protected health information, for purposes other than treatment, payment or health care operations by David Stoker, M.D. and Marina View Surgery Center or any of the people or companies who perform treatment, payment or health care operations on our behalf. To request this list of disclosures we made of protected health information about you, you must submit a request in writing to 4640 Admiralty Way, Suite 1000, Marina del Rey, CA 90292. Your request must state a time period which may not be longer than ten (10) years prior to the date of your

request and may not include dates before January 1, 2012. Your request should indicate the form in which you want the list (for example, on paper or electronically).

**Right to a Paper Copy of this Notice.** You have the right to a paper copy of this Notice. You may ask us to give you a copy of this notice at any time. To learn more about these procedures, or to make any of these requests, you should contact David Stoker, M.D. and Marina View Surgery Center.

### **CHANGES TO THIS NOTICE**

David Stoker, M.D. and Marina View Surgery Center reserve the right to change this notice. We reserve the right to make the revised or changed Notice effective for protected health information we already have about you, as well as any information we create or receive in the future.

### **COMPLAINTS**

If you believe your privacy rights have been violated and/or that David Stoker, M.D. and/or Marina View Surgery Center have not followed this policy, you may file a complaint with David Stoker, M.D. and Marina View Surgery Center, or with the Secretary of the Department of Health and Human Services. To file a complaint with David Stoker, M.D. and Marina View Surgery Center, contact Wendy Winstead, the Practice Manager, at David Stoker, M.D. and Marina View Surgery Center, (310) 300-1779. All complaints must be submitted in writing to 4640 Admiralty Way, Suite 1000, Marina del Rey, CA 90292. You will not be penalized for filing a complaint.

### **OTHER USES OF PROTECTED HEALTH INFORMATION**

Other uses and disclosures of your protected health information not covered by this notice or the laws that apply to David Stoker, M.D. and Marina View Surgery Center will be made only with your written permission ("authorization"). If you provide us permission to use or disclose protected health information about you, you may revoke that permission, in writing, at any time. If you revoke your permission, we will no longer use or disclose protected health information about you for the reasons covered by your authorization. You understand that we are unable to take back any disclosures we have already made with your permission, and that we are required to retain our records of the medical treatment or other services that we have provided to you.

### **REQUESTS TO INSPECT PROTECTED HEALTH INFORMATION**

As permitted by federal regulation, we require that requests to inspect or copy protected health information be submitted in writing. You may obtain a form to request access to your records by contacting the Receptionist or Practice Manager.

### **QUESTIONS?**

If you have any questions regarding this notice, please contact the office of David Stoker, M.D.

I acknowledge that I have been given a copy of this Privacy Notice.

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Patient Signature or Authorized Representative

Date