

### HIPAA NOTICE OF PRIVACY PRACTICES

Effective Date: 9/30/2022  
  
THIS NOTICE DESCRIBES HOW PROTECTED HEALTH 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:   
Custom Dietetics, PC 2801 Wehrle Drive Suite 4 Williamsville, NY 14221 716.626.7415  
  
OUR PLEDGE REGARDING PROTECTED HEALTH INFORMATION: This Notice applies to all of the records of your care generated by Custom Dietetics, PC. This Notice will tell you about the ways in which we may use and disclose protected health information about you. We reserve the right to change the terms of this Notice and to make new notice provisions effective for all protected health information that we maintain by: posting the revised Notice in our office.  
  
HOW WE MAY USE AND DISCLOSE PROTECTED HEALTH INFORMATION ABOUT YOU. The following categories describe different ways that we use and disclose protected health information without your written authorization.  
For Treatment. We may use protected health information about you to provide you with, coordinate or manage your medical treatment or services. We may use and disclose protected health information to contact you as a reminder that you have an appointment with Custom Dietetics, PC.

For Payment for Services. We may use and disclose protected health information about you so that the treatment and services you receive with Custom Dietetics, PC may be billed to and payment may be collected from you, an insurance company or a third party. We may tell your health plan about the nutrition services you are going to receive to obtain prior approval or to determine whether your plan will cover the treatment.  
As Required By Law. We will disclose protected health information (PHI) about you when required to do so by federal, state or local law.

Health Risks. We may disclose protected health information about you to a government authority if we reasonably believe you are a victim of abuse, neglect or domestic violence. We will only disclose this type of information to the extent required by law, if you agree to the disclosure, or if the disclosure is allowed by law and we believe it is necessary to prevent or lessen a serious and imminent threat to you or another person.

Judicial and Administrative Proceedings. If you are involved in a lawsuit or dispute, we may disclose your information in response to a court or administrative order.

Business Associates. We may disclose information to business associates who perform services on our behalf; however, we require them to appropriately safeguard your information.

Public Health. As required by law, we may disclose your protected health information to public health or legal authorities charged with preventing or controlling disease, injury, or disability.

Worker’s Compensation. We may disclose information as necessary to comply with laws relating to worker’s compensation or other similar programs established by law.  
  
YOU CAN OBJECT TO CERTAIN USES AND DISCLOSURES You can request that only a limited amount or type of information be shared.

YOUR RIGHTS REGARDING PROTECTED HEALTH INFORMATION ABOUT YOU. You have the following rights regarding protected health information we maintain 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 care. Usually, this includes medical and billing records. To do so please submit your request in writing to Custom Dietetics, PC.

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, and we will respond to your request no later than 30 days after receiving it.

Right to Amend. If you feel that protected health information we have about you is incorrect or incomplete, you may ask us to amend or supplement the information. To request an amendment, request must be made in writing and submitted to Custom Dietetics, PC 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.

Right to an Accounting of Disclosures. You have the right to request an "accounting of disclosures." This is a list of the disclosures we made of protected health information about you. To request this list or accounting of disclosures, you must submit your request in writing to Custom Dietetics, PC. You may ask for disclosures made up to six years before your request. We may charge you for the costs of providing the list. We are required to provide a listing of all disclosures except the following: For your treatment. For billing and collection of payment for your treatment. For health care operations. Made to or requested by you, or that you authorized. Occurring as a byproduct of permitted use and disclosures. For national security or intelligence purposes or to correctional institutions or law enforcement regarding inmates.

Right to Request Restrictions. You have the right to request a restriction or limitation on the protected health information we use or disclose about you for treatment, payment or health care operations or to persons involved in your care. To request restrictions, you must make your request in writing Custom Dietetics, PC.  
Right to Request Confidential Communications. You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. To request confidential communications, you must make your request in writing to Custom Dietetics, PC. 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 at any time. You may print this notice at any time for your records.  
  
OTHER USES AND DISCLOSURES We will obtain your written authorization before using or disclosing your protected health information for purposes other than those provide for above (or as otherwise permitted or required by law). You may revoke this authorization in writing at any time.  
  
YOU MAY FILE A COMPLAINT ABOUT OUR PRIVACY PRACTICES If you believe your privacy rights have been violated, you may file a complaint with Custom Dietetics, PC or file a written complaint with the Secretary of the Department of Health and Human Services. A complaint to the Secretary should be filed within 180 days of the occurrence or action that is the subject of the complaint. If you file a complaint, we will not take any action against you or change our treatment of you in any way.

Informed Consent Regarding Email or the Internet Use of Protected Personal Information

Custom Dietetics, PC provides patients the opportunity to communicate health care providers and administrative staff by EMR messaging and text messaging. Transmitting confidential health information by email, however, has a number of risks, both general and specific, that should be considered. 1. Risks a. Specific email risks are the following: email containing information pertaining to diagnosis and/or treatment must be included in the protected personal health information: all individuals who have access to the protected information will have access to the email messages; patients who send or receive email from their place of employment risk having their employer read their email 2. It is the policy of Custom Dietetics, PC that all electronic messages sent or received which concern the diagnosis or treatment of a patient will be a part of that patient’s protected personal health information and will treat such messages or internet communications with the same degree of confidentiality as afforded by other portions of the protected personal health information. Custom Dietetics, PC will use reasonable means to protect the security and confidentiality of EMR messaging, texting or internet communication. Because of the risks outlined above, we cannot however guarantee the security and confidentiality of email or internet communications. Custom Dietetics, PC is not liable for improper disclosure of confidential information not caused by its employee’s gross negligence or wanton misconduct. Custom Dietetics, PC. Custom Dietetics, PC is not liable for breached of confidentiality caused by the patient. Any further use of messaging (text and EMR) initiated by the patient that discusses diagnosis or treatment constitutes informed consent to the foregoing. I understand my consent to the use of EMR messaging/Text may be withdrawn at any time by written communication to Custom Dietetics, PC.