

**Arashikage Industries, Inc (Stone Guardian Acupuncture/Alliance)  
Patient and Client Privacy Policy and Practices**

**Introduction**

As medical care providers Arashikage Industries, Inc and all entities therein (Stone Guardian Acupuncture and Stone Guardian Alliance) must protect all of its patients' privacy. All patient interactions are private and to be kept confidential, including but not limited to: verbal, written, printed and electronic. The following outlines Arashikage Industries, Inc's patient privacy and confidentiality policies of which the federal mandate called the Health Information Portability and Accountability Act (HIPAA) is a part.

**Patient Privacy and Confidentiality Policy**

To ensure the privacy of patients of Arashikage Industries, Inc. All staff, practitioners and visitors observing in treatment and consultation areas must conform to the following rules:

1. Only visitors who have the express permission of the patient and practitioner may be present in treatment and consulting areas with patients.
2. Access to private patient information shall be limited to Arashikage Industries, Inc staff and practitioners without written permission of the patient. Exceptions are outlined below.
3. Staff are prohibited from responding to any inquiries about patients without specific written consent to release patient information. Verbal consent from the patient is also acceptable. Exceptions are outlined below.

**Health Information Portability and Accountability Act (HIPAA)**

To improve the efficiency and effectiveness of the healthcare system, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, included Administrative Simplification provisions that required HHS to adopt national standards for electronic health care transactions and code sets, unique health identifiers, and security. At the same time, Congress recognized that advances in electronic technology could erode the privacy of health information. Consequently, Congress incorporated into HIPAA provisions that mandated the adoption of Federal privacy protections for individually identifiable health information. (Obtained from hhs.gov)

This document describes how Arashikage Industries, Inc protects any and all Protected Health Information via policies, procedures, physical and electronic safeguards. This ensures the confidentiality, accessibility and integrity of the protected information. We have also assigned a specific person noted here as Bryce Lisser as our Privacy Officer so that patients may contact him with problems regarding the protection of their information. All staff and practitioners of Arashikage Industries, Inc have been made to understand and agree to all policies and procedures regarding protected information noted in this page.

**Protected Health Information**

Protected Health Information (PHI) refers to any and all health information, combined with personal unique identifiers (see below), which can be used to identify a specific person, and includes information that we create and/or receive from other sources including but not limited to the following:

- Written paper records and documents
- Electronic records (including but not limited to all digital records)
- Oral communication
- Audio recordings
- Image, photos, and video files

Personal unique identifiers are aspects of a person that may be used to identify them. The following is a list of potential personal unique identifiers. This is by no means an exhaustive list, please use this as an example of aspects that may be used to identify an individual.

- Name
- Address
- Name of relatives
- Names of employers
- E-mail address
- Social Media Names and/or URLs
- Personal and/or professional URLs
- Internet protocol address
- Telephone numbers (Including land, mobile, VOiP and/or fax)
- Birth Date
- Fingerprints
- Photographs
- Voice recordings
- Unique body modification (i.e., tattoos, piercings, implants and/or prosthetics)
- Social Security number
- Personal property serial numbers
- Health record numbers
- Health plan beneficiary number
- Bank account numbers
- Other personal membership numbers
- Certificate and/or license numbers and other unique identifying numbers, characteristics, or codes

While according to HIPAA, release of treatment, payment or healthcare operations is permitted without written authorization, it is the policy of Arashikage Industries, Inc that any use of PHI outside of clinic facilities be only at the behest of the patient noted. This includes all documentation of treatments, consultations, billing etc. Written authorization is required in all cases where PHI is shared with non-staff or practitioners of Arashikage Industries, Inc

PHI release requiring authorization includes but is not limited to the following:

- Medical records release
- Financial records release
- Patient verification
- Unless noted below any and all release of PHI must be with written consent of the patient.

PHI may be released without consent under the following conditions:

### **Health Care Operations**

Arashikage Industries, Inc may use and disclose protected health information for all activities that are included within the definition of “healthcare operations” as defined in the federal Privacy Regulations. “Healthcare operations” includes: quality assessment and improvement activities; case management and care coordination; peer review; accreditation, licensing, and credentialing; legal services and auditing functions; business planning; selling, merging or consolidating with another practice.

We may disclose PHI to Emergency Contacts listed on the initial patient intake forms in case of an emergency, to assist with health care, or with payment of patient health care. In the case that we are unable to contact the listed Emergency Contact other family or friends of the patient may be contacted if the emergency dictates it necessary.

We may contact patients to provide reminders of health related services. If indicated this contact will take the form of the preferred contact method.

## **Allowed Non-treatment, Payment or Health Care Operations Information Use or Disclosure Without Required Patient Authorization or Consent**

Mandatory reporting situations are as follows:

- To report or prevent child abuse or neglect and domestic violence.
- To prevent a serious threat to a patient's health or safety or the health and safety of the public or another person.
- To the Department of Health and Human Services on public health issues to prevent or control disease, injury or disability.
- To law enforcement agencies in response to a court order, subpoena, discovery request, administrative order, or other lawful process by another person involved in a dispute involving a patient and/or client. In this event all efforts must be made to notify the patient and/or client of the release.
- To the following entities under given circumstances:
  - To a correctional institution when necessary for the patient's health or the health and safety of others.
  - To notify, or assist in notifying a family member, personal representative, or another person responsible for the patient's care, location, or general condition.
  - To the military authorities under certain circumstances when the patient is a member of the Armed Forces.
  - To authorized federal officials for intelligence, counterintelligence, and other national security activities.

### **Patient Rights**

All patients of Arashikage Industries, Inc are entitled to the following:

1. All patients of Arashikage Industries, Inc must be provided the following forms: Informed Consent to Treat, Arbitration Agreement, Cancellation, Re-Scheduling and Late/No-Show Policies and this form on Privacy Practices. Patients must be allowed time to read, or have read to them, all forms and have any questions answered. All patients must then sign and date an acknowledgement and permission prior to any treatments and/or consultations.
2. Patients may request an accounting of all disclosures of PHI that was or was not authorized by the patient for the past six years.
3. Upon request all patients may have access to their individual health records. The request must be made in writing by the patient or a legal representative of the patient. All requests must be verified with valid government issued ID and/or other valid forms to verify identity. Requests may be for individual components or the entire record hereby referred to as the Designated Record Set (DRS) as defined under HIPAA.

Arashikage Industries, Inc DRS contents include:

- Written and electronic records of patient care including but not limited to:
  - Health Chart Notes
  - Patient Personal Information
  - Patient Background Information
  - Patient Pain Reports
  - Patient Insurance Information
  - Patient Acknowledgements
  - Membership Plan Agreements, if applicable
  - Other Safety Disclosures & Acknowledgements, if applicable
  - Other Self Reporting Forms, if applicable

Arashikage Industries, Inc staff and/or practitioners may review the record with the patient.

A fee may be charged for copies.

Any and all records pertaining to patients must be provided to the named patient by law, with exception regarding Psychotherapy notes and information compiled for legal proceedings. This type of information must be kept in a separate file.

4. Patients may make a request to amend their PHI. The request must be made in writing by the patient or a legal representative of the patient. All requests must be verified only with valid government issued ID. The request will be formally reviewed and may or may not be granted. Upon review the patient may be contacted for followup and/or clarification of request.

5. Patients may request that some or all of their PHI remains confidential, restricted, beyond the measures outlined above, or that we take special measures to ensure confidentiality. No explanation for additional confidentiality needs to be provided. The request must be made in writing by the patient or a legal representative of the patient. All requests must be verified only with valid government issued ID. Requests will be formally reviewed on a case by case basis and may or may not be approved.

Special Patient Health Information: Separate authorizations must be signed to release Drug and Alcohol, HIV, Genetic, HIV/AIDS status, or Mental Health Information by the patient to protect sensitive disclosures.

## **Protected Health Information (PHI) Security Measures**

Arashikage Industries, Inc staff and practitioners should always apply the Minimum Necessary Standard, as defined under HIPAA when Using and Disclosing Patient PHI. This includes but is not limited to:

- Access and use only the patient PHI information necessary for them to complete their work.
- Do not share patient PHI with anyone outside of Arashikage Industries, Inc or any staff and/or practitioners not directly related to the patient.
- Ensure that any and all precautions are taken to ensure security of both physical and electronic PHI.

### Physical Safeguards:

- All physical records are to remain secure unless being accessed for patient care and/or contact.
- Offsite physical records are to be stored in locked transport with Arashikage Industries, Inc staff and/or practitioners.

### Electronic Safeguards:

- Any and all electronic devices, including but not limited to desktop and mobile computers, tablets, phones and other electronic mobile devices having access to Arashikage Industries, Inc Google Accounts shall be security enabled with at least numeric security or password protection.
- Any and all electronic devices, including but not limited to desktop and mobile computers, tablets, phones and other electronic mobile devices having access to Arashikage Industries, Inc Google Accounts shall be logged out when not in direct use.
- No logged in device shall be left logged in without staff and/or practitioners of Arashikage Industries, Inc physically present.
- Any and all electronic devices, including but not limited to desktop and mobile computers, tablets, phones and other electronic mobile devices having access to Arashikage Industries, Inc Google Accounts shall be enabled for remote wiping, if at all possible.
- Any and all electronic devices, including but not limited to desktop and mobile computers, tablets, phones and other electronic mobile devices having access to Arashikage Industries, Inc Google Accounts lost or stolen shall be reported to the Privacy Officer.
- All electronic communication regarding Arashikage Industries, Inc patients must be done using a verified Arashikage Industries, Inc Google and/or Squarespace account. As both Google and Squarespace have signed BAAs (Business Associate Agreements) this communication is considered HIPAA compliant. This communication must also be done at or using a secure site to ensure that medical information cannot be overheard, seen and/or stolen by a third party. Any and all forms of electronic communication outside of verified Arashikage Industries, Inc Google and/or Squarespace accounts, including personal Google accounts is strictly prohibited.