

THE TEXAS A&M UNIVERSITY SYSTEM BENEFITS ADMINISTRATION NOTICE OF PRIVACY PRACTICES

Your Information. Your Rights. Benefits Administration's 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.

Commitment to Protecting Health Information About You

This Notice of Privacy Practices describes the privacy practices of Benefits Administration at The Texas A&M University System (Benefits Administration) with respect to The Texas A&M University System Group Health Plan (Plan), which is a "group health plan" (as defined in the Health Insurance Portability and Accountability Act of 1996 and the regulations promulgated thereunder) and funded by The Texas A&M University System (Plan Sponsor). Federal law requires Benefits Administration to protect the privacy of health information of individuals who participate in the Plan. It also requires Benefits Administration to give you this notice of Benefits Administration's legal duties and privacy practices with respect to your health information.

Your Rights

You have the right to:

- Get a copy of your health and claims records
- Correct your health and claims records
- Request confidential communication
- Ask Benefits Administration to limit the information it shares
- Get a list of those with whom your information has been shared
- Get a copy of this privacy notice
- Choose someone to act for you
- File a complaint if you believe your privacy rights have been violated

Your Choices

You have some choices in the way that Benefits Administration uses and shares information as it answers coverage questions from your family and friends and provides emergency disaster relief.

Uses and Disclosures

Benefits Administration may use and share your information to:

- Pay for your health services
- Administer the Plan
- Help manage the health care treatment you receive
- Run its organization
- Help with public health and safety issues
- Provide data for research purposes under certain limited circumstances
- Comply with the law
- Respond to organ and tissue donation requests and work with a medical examiner or funeral director
- Address workers' compensation, law enforcement, and other government inquiries
- Respond to lawsuits and legal actions

These are explained further on the following pages.

Your Rights

When it comes to your health information, you have certain rights. This section explains your rights and some of Benefits Administration's responsibilities to help you.

Get a copy of health and claims records. You can ask to see or get a copy of your health and claims records and other health information that Benefits Administration has about you. Ask Benefits Administration how to do this. Benefits Administration may direct you to the third-party administrator to provide a copy or a summary of your health and claims records, usually within 30 days of your request. You may be charged a reasonable, cost-based fee.

Ask to correct health and claims records. You can ask to correct your health and claims records if you think they are incorrect or incomplete. Ask Benefits Administration how to do this. It may say “no” to your request, but will tell you why in writing within 60 days.

Request confidential communications. You can ask Benefits Administration to contact you in a specific way (for example, home or office phone) or to send mail to a different address. It will consider all reasonable requests, and must say “yes” if you tell Benefits Administration you would be in danger if it does not.

Ask Benefits Administration to limit what it uses or shares. You can ask Benefits Administration not to use or share certain health information for treatment, payment, or its operations. Benefits Administration is not required to agree to your request and may say “no” if it would affect your care.

Get a list of those with whom Benefits Administration has shared information. You can ask for a list (accounting) of the times Benefits Administration has shared your health information for six years prior to the date you ask, who Benefits Administration shared it with, and why. Benefits Administration will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures (such as any you asked it to make). Benefits Administration will provide one accounting a year for free but a charge will be assessed for additional requests if you ask for another one within 12 months.

Get a copy of this privacy notice. You can ask for a paper copy of this notice at any time, even if you have agreed to receive the notice electronically. Benefits Administration will provide you with a paper copy promptly.

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. Benefits Administration will confirm that person has this authority and can act for you before it takes any action.

File a complaint if you feel your rights are violated. You can complain if you feel Benefits Administration has violated your rights by contacting Benefits Administration at the email below. You can also 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, S.W., Washington, D.C. 20201, calling 1-877-696-6775, or visiting www.hhs.gov/ocr/privacy/hipaa/complaints/. Benefits Administration will not retaliate against you for filing a complaint.

Your Choices

For certain health information, you can tell Benefits Administration your choices about what it shares. If you have a clear preference for how your information is shared in the situations described below, tell Benefits Administration what you want it to do, and it will follow your instructions.

You have both the right and choice to tell Benefits Administration to:

- Share information with your family, close friends, or others involved in payment for your care
- Share information in a disaster relief situation

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

Benefits Administration does not share your information for marketing purposes, although it may contact you about health-related benefits and services provided in connection with the Plan, treatment plans and alternatives, and for other purposes related to your treatment and its health care operations. It does not sell your information.

Uses and Disclosures

How does Benefits Administration typically use or share your health information?

Benefits Administration typically uses or shares your health information in the following ways:

Pay for your health services. Benefits Administration can use and disclose your health information as it pays for your health services. Example: It may share information about you with your dental plan to coordinate payment for your dental work.

Administer the Plan. Benefits Administration may disclose your information to the Plan Sponsor to permit employees of the Plan Sponsor to perform plan administration functions on behalf the Plan. When Benefits Administration discloses your information to the Plan Sponsor, the Plan documents restrict the Plan Sponsor's uses and disclosures of your information, and Plan Sponsor certifies that your information will not be used or disclosed for employment-related actions and decisions or in connection with any other benefit or employee benefit plan of Plan Sponsor. Benefits Administration may disclose summary health information to the Plan Sponsor if the Plan Sponsor requests such information for purposes of obtaining premium bids for providing health insurance coverage under the Plan or modifying, amending, or terminating the Plan. Benefits Administration may also disclose to the Plan Sponsor information on whether you are participating in the Plan or enrolled in, or have dis-enrolled from, health insurance coverage offered by the Plan.

Benefits Administration may also disclose your health information to third-party administrative services providers for plan administration on behalf of the Plan. Example: The administrative services provider needs to know your information in order to pay your medical claims.

Help manage the health care treatment you receive. Benefits Administration can use your health information and share it with professionals who are treating you. Example: A doctor sends information about your diagnosis and treatment plan to arrange additional services.

Run its organization. Benefits Administration can use and disclose your information to run its organization and contact you when necessary. Example: Benefits Administration uses health information about you to develop better services for you.

How else can Benefits Administration use or share your health information?

Benefits Administration is 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. It must meet many conditions in the law before it can share your information for these purposes. For more information see: www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html.

Help with public health and safety issues. Benefits Administration 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

Do research. Benefits Administration can use or share your information for health research under certain limited circumstances.

Comply with the law. Benefits Administration 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 Benefits Administration is complying with federal privacy requirements.

Respond to organ and tissue donation requests and work with a medical examiner or funeral director. Benefits Administration can share health information about you with organ procurement organizations. It can share health information with a coroner, medical examiner, or funeral director when an individual dies.

Act in response to workers' compensation, law enforcement, and other government requests. Benefits Administration 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

Respond to lawsuits and legal actions. Benefits Administration can share health information about you in response to a court or administrative order, or in response to a subpoena.

Benefits Administration Responsibilities

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

For more information, visit: www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html.

Changes to this Notice

Benefits Administration reserves the right to make changes to this notice and to make such changes effective for all information it may already have about you. If and when this notice is changed, it will post this information on its website and provide you with a copy of the revised notice upon your request.

Privacy Official

You can contact the Plan's Privacy Official at:

Director of Benefits Administration
The Texas A&M University System
Connally/Moore Building 301 Tarrow, 5th Floor
College Station, TX 77840-7896
Phone: (979) 458-6330
employeebenefits@tamus.edu