

This Notice of Privacy Practices applies to Elixir Pharmacy, LLC (“Elixir Pharmacy”).

**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.**

As a health care provider, Elixir Pharmacy is required by law to maintain the privacy of protected health information (PHI) and provide you notice of our legal duties and privacy practices with respect to PHI. PHI is information that may identify you and that relates to your past, present, or future physical or mental health or condition, the provision of health care products and services to you, or payment for such services.

We implement reasonable administrative, technical, and physical safeguards to protect PHI against unauthorized access, use, and disclosure.

**How Elixir Pharmacy Uses and Discloses PHI**

**Treatment** - We use your PHI to treat you. For example, we may receive written, verbal, facsimile or electronic health information and prescription orders for you and use health PHI to provide prescription medications to you. To coordinate your care, we may also disclose your information to other health care providers who are treating you.

**Payment** - We use your PHI to receive payment for products and services. For example, we may contact your third party payor, such as your insurer or pharmaceutical benefits manager, to determine whether your program will pay for your prescription. We bill you and/or a third party payor for the cost of prescription medications provided to you. The information on or accompanying the bill may include your PHI such as the prescriptions you are taking.

**Operations** - We use your PHI to carry out health care operations. These uses and disclosures are necessary to run the pharmacy and to make sure that all of our patients receive quality care. For example, we may use information in your health record to monitor the quality of pharmacist performance and to train pharmacy personnel. Your PHI may be transferred for the purposes of carrying out pharmacy services if we buy or sell pharmacy locations.

We may contact you to provide treatment-related services, such as refill reminders, treatment alternatives, and other health-related benefits and services that may be of interest to you.

**How Elixir Pharmacy Uses and Discloses your PHI Without Your Prior Authorization**

**Business Associates** - We may contract with third parties to perform certain services for us, such as billing services, copy services, or consulting services. These third party service providers, referred to as Business Associates, may need to access your PHI to

perform services for us. They are required by contract and law to protect your PHI and only use and disclose it as necessary to perform their services for us.

**To Communicate with Individuals Involved in Your Care or Payment for Your Care**

- We may disclose PHI about you to a relative, a close friend, or any other person you identify, provided the information is directly relevant to that person's involvement with your health care or payment for that care. For example, if a family member or a caregiver calls us with prior knowledge of a claim, we may confirm whether or not the claim has been received and paid. You have the right to stop or limit this kind of disclosure by calling Customer Services toll-free at 1-866-909-5170 (TTY/TDD users should call 711). Hours are: Monday - Friday 8:00 AM - 10:00 PM and Saturday 8:30 AM - 4:30 PM

**Food and Drug Administration ("FDA")** - We may disclose to persons under the jurisdiction of the FDA, PHI relative to adverse events with respect to drugs, foods, supplements, products and product defects, or post-marketing surveillance information to enable product recalls, repairs, or replacement.

**Workers' Compensation** - To the extent necessary to comply with law, we may disclose your PHI to workers' compensation or other similar programs established by law.

**Public Health** - We may disclose your PHI to public health or legal authorities charged with preventing or controlling disease, injury, or disability, including the FDA. In certain circumstances, we may also report work-related illnesses and injuries to employers for workplace safety purposes.

**Law Enforcement** - We may disclose your PHI for law enforcement purposes as required or permitted by law for example, in response to a subpoena or court order, in response to a request from law enforcement, and to report limited information in certain circumstances.

**As Required by Law** - We disclose your PHI when required to do so by federal, state or local law.

**Health Oversight Activities** - We may disclose your PHI to oversight agencies for activities authorized by law. These oversight activities include such things as audits, investigations, inspections, and credentialing, as necessary for licensure and for the government to monitor the health care system, government programs and compliance with civil rights laws.

**Judicial and Administrative Proceedings** - If you are involved in a lawsuit or a dispute, we may disclose your PHI in response to a court or administrative order. We may also disclose your PHI in response to a subpoena, discovery request, or other lawful process instituted by someone else involved in the dispute, but only if efforts have

been made, either by the requesting party or us, to first tell you about the request or to obtain an order protecting the information requested.

**Research** - We may use your PHI to conduct research and we may disclose your PHI to researchers as authorized by law. For example, we may use or disclose your PHI as part of a research study when the research has been approved by an institutional review board or privacy board that has reviewed the research proposal and established protocols to ensure the privacy of your information.

**Coroners, Medical Examiners and Funeral Directors** - We may release your PHI to coroners or medical examiners so that they can carry out their duties. This may be necessary, for example, to identify a deceased person or determine the cause of death. We may also disclose PHI to funeral directors consistent with applicable law to enable them to carry out their duties.

**Organ or Tissue Procurement Organizations** - Consistent with applicable law, we may disclose your PHI to organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of organs for the purpose of tissue donation and transplant.

**Notification** - We may use or disclose your PHI to notify or assist in notifying a family member, personal representative, or another person responsible for your care, regarding your location and general condition.

**Disaster Relief** - We may use and disclose your PHI to organizations for purposes of disaster relief efforts.

**Correctional Institution** - If you are or become an inmate of a correctional institution, we may disclose to the institution, or its agents, PHI necessary for your health and the health and safety of other individuals.

**To Avert a Serious Threat to Health or Safety** - We may use and disclose your PHI when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person.

**Military and Veterans** - If you are a member of the armed forces, we may release PHI about you as required by military command authorities. We may also release PHI about foreign military personnel to the appropriate foreign military authority.

**National Security, Intelligence Activities, and Protective Services for the President and Others** - We may release PHI about you to federal officials for intelligence, counterintelligence, protection of the President, and other national security activities authorized by law.

**Victims of Abuse or Neglect** - We may disclose PHI about you to a government authority if we reasonably believe you are a victim of abuse or neglect. We 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 serious harm to you or someone else.

## Uses and Disclosures Requiring Your Written Authorization

In all situations other than those described above, we ask for your written authorization before using or disclosing your PHI. For example, we would not use or disclose your psychotherapy notes, use or disclose your PHI for marketing purposes, or sell your PHI, unless you give written authorization. If you have given us an authorization, you may revoke it at any time, if we have not already acted on it.

## Your Legal Rights

You have the right to make certain requests regarding your PHI, including the right to: Federal regulations concerning the privacy and security of personal health information give you the right to make certain requests regarding health information about you.

- **See and get a copy of your PHI held by Elixir Pharmacy** - If we maintain an electronic health record containing your PHI, you have the right to ask to get the information in an electronic format. You may ask us to send a copy of your information to other individuals or entities that you designate. We may deny your request to inspect and copy in certain limited circumstances. If you are denied access to your information, you may request that the denial be reviewed.
- **Request an amendment of your information** - If you feel that the PHI we maintain about you is incomplete or incorrect, you may request that we amend it. You must include a reason that supports your request. If we deny your request for an amendment, we provide you with a written explanation of why we denied it.
- **Get a list of those who received your PHI from Elixir Pharmacy**- Except for certain disclosures, you have a right to receive a list of the disclosures we have made of your PHI, in the six years prior to the date of your request. The list will not include disclosures such as PHI that was given to you or your personal representative or that was given out for treatment, payment or operations reasons.
- **Ask Elixir Pharmacy to communicate with you in a different manner or at a different place** - (for example, by sending materials to a P.O. Box instead of your home address).
- **Ask Elixir Pharmacy to restrict or limit how we use or disclose your PHI** - You have the right to request restrictions on our use or disclosure of your PHI. We are not required to agree to the restrictions, except in the case where the disclosure is to a health plan for purposes of carrying out payment or health care operations, is not otherwise required by law, and the information pertains solely to a health care item or service for which you, or a person on your behalf, has paid in full.
- **Receive a notice of a breach of certain health information** - We are required to notify you of any breach that involves your PHI.
- **Get a separate paper copy of this notice** - You can ask for a paper copy of this Notice at any time, even if you have agreed to receive the notice electronically.

## **How to File a Complaint**

You may make any of the requests described above in writing to our Privacy Officer at our address provided below. You may request a paper copy of this notice by calling Member Services toll-free at 1-877-437-9012 (TTY/TDD users should call 711). Hours are: Monday-Friday, 8am-10PM EST. Saturday: 8:30am-4:30pm EST. There is an answering service 24 hours a day, 7 days a week. You also have the right to file a complaint if you think your privacy rights have been violated. To do so, please send your inquiry to the following address: Elixir Pharmacy, 7835 Freedom Avenue NW, North Canton, OH 44720, Attn: Privacy Officer. You also may write to the Secretary of the U.S. Department of Health and Human Services. You will not be penalized for filing a complaint.

You also have the right to file a complaint if you think your privacy rights have been violated. To do so, please send your inquiry to the following address: Elixir Pharmacy, 7835 Freedom Avenue NW, North Canton, OH 44720, Attn: Privacy Officer. You also may write to the Secretary of the U.S. Department of Health and Human Services. You will not be retaliated for filing a complaint.

## **This Notice is Subject to Change**

This notice is being provided to you herein and is also posted on our website. Elixir Pharmacy follows the terms of the notice currently in effect. We may change the terms of this notice and our privacy policies at any time. If we do, the new terms and policies will be effective for all of the information that we already have about you, as well as any information that we may receive or hold in the future.

If you have questions regarding this notice, please contact Customer Services toll-free at 1-866-909-5170 (TTY/TDD users should call 711). Hours are: Monday - Friday - 8:00 AM - 10:00 PM and Saturday 8:30 AM - 4:30 PM.

**This notice was revised on July 31, 2020.**