

NOTICE OF PRIVACY PRACTICES

As required by the Privacy Regulations created as a result of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

This Notice of Privacy Practices is always available for you to read in my office and if you would like you may request a copy to take home. This notice is also accessible at www.VermontAcupuncture.com. The law requires that I present this notice to you and have you sign that you have access to this information.

I, Kelly Kaeding, am committed to protecting your privacy. Some of the things I routinely do to protect your privacy are as follows:

1. I use voice mail instead of an answering machine so that only I can hear incoming messages.
2. I inquire on my forms if I can leave messages for you on your answering machines at home and work.
3. I do not talk about you and your health information to anyone unless specifically required or requested.
4. I keep your file out of sight of other people.
5. I explicitly do not share your personal data with any company or person who may want your information for marketing purposes. I do not promote junk mail!

This Notice of Privacy Practices also describes how I may use and disclose your protected health information to carry out treatment, obtain payment or for other purposes that are permitted or required by law. It also outlines your rights to access and control your protected health information. "Protected health information" (PHI) is information about you, including demographic information, that may identify you and that relates to your past, present or future physical or mental health or condition and related health care services. If you ever have any questions or concerns regarding the use or dissemination of your personal health information, I would be happy to address them.

I am required to abide by the terms of this Notice of Privacy Practices. I have the right to revise or amend the terms of our notice at any time. The new notice will be effective for all protected health information that I have at that time and for future information. The current Notice will be made available to you.

Consent for Use or Disclosure of Health Information

I am committed to protecting your privacy. I do *not* routinely share my clients chart notes or personal information. The following is applicable primarily in insurance and workman's compensation cases. I absolutely do not rent to or share data with companies for the purposes of marketing.

The purpose of this consent form is to give Kelly Kaeding MS LAc permission to use your health information to provide treatment, collect payment (from you or a third-party entity) and conduct the general administrative business.

There are several circumstances in which I may have to use or disclose your health care information:

- I may have to disclose your health information to another health care provider or a hospital if it is necessary to refer you to them for the diagnosis, assessment, or treatment of your health condition.
- I may have to disclose your health information and billing records to another party if they are potentially responsible for the payment of our services.
- I may need to use your health information within our practice in our effort to provide you with quality health care.

You have the right to limit uses or disclosures

You have the right to request that we do not disclose your health information to specific individuals, companies, or organizations. If you would like to place any restrictions on the use or disclosure of your health information, please let me know in writing. I am not required to agree to your restrictions. However, if I agree with your restrictions, the restriction is binding.

You have the right to revoke your authorization

You may revoke your consent to me at any time; however, your revocation must be in writing. I will not be able to honor your revocation if I have already released your health information before I receive your request to revoke your authorization. If you were required to give your authorization as a condition of obtaining insurance, the insurance company may have a right to your health information if they decide to contest any of your claims.

REGULATIONS REGARDING UNPROFESSIONAL CONDUCT

§ 3410 UNPROFESSIONAL CONDUCT

(a) A licensed acupuncturist, or applicant shall not engage in unprofessional conduct.

(b) Unprofessional conduct means any of the conduct listed in this section and section 129a of Title 3, whether committed by a licensed acupuncturist or an applicant:

- (1) Fraudulent or deceptive procuring or use of certification.
- (2) Willfully making or filing false reports or records in the practice of acupuncture, willfully impeding or obstructing the proper making or filing of reports or records or willfully failing to file the proper reports or records.
- (3) Using dishonest or misleading advertising.
- (4) Exercising undue influence or taking improper advantage of a person using acupuncture service, or promoting the sale of services or goods in a manner which exploits a person for the financial gain of the practitioner or of a third party.
- (5) Failure to comply with substantial provisions of law governing the practice of acupuncture.
- (6) Conviction of a crime evidencing unfitness to practice acupuncture.
- (7) Failure to make available, upon request of a person who had received acupuncture services, copies of documents in the possession or under the control of the practitioner.
- (8) Practicing acupuncture when medically or psychologically unfit to do so.
- (9) Gross or repeated professional negligence.
- (10) Addiction to narcotics, habitual drunkenness or rendering professional services to a patient if the acupuncturist is intoxicated or under the influence of drugs.
- (11) Sexual harassment of a patient.
- (12) Engaging in sexual intercourse or other sexual conduct with a patient with whom the licensed acupuncturist has had a professional relationship within the previous two years.

(c) After hearing and upon a finding of unprofessional conduct, an administrative law officer appointed under 3 V.S.A. § 129(j) may take disciplinary action against a licensed acupuncturist or applicant.

OFFICE OF PROFESSIONAL REGULATION Procedure for filing a complaint

The Office of Professional Regulation provides Vermont licensees, certifications, and registrations for over 37,000 practitioners and businesses. Thirty-seven professions and occupations are supported and managed by this office. A list of professions regulated is found below.

Each profession or occupation is governed by laws defining professional conduct. Consumers who have inquiries or wish to obtain a form to register a complaint may do so by calling: (802) 828-2372, or by writing to the Director of the Office, Secretary of State, 26 Terrace Street, Drawer 09, Montpelier, Vermont 05609-1106.

Upon receipt of a complaint, an administrative review determines if the issues raised are covered by the applicable professional conduct statute. If so, a committee is assigned to investigate, collect information, and recommend action or closure to the appropriate governing body.

All complaint investigations are confidential. Should the investigation conclude with a decision for disciplinary action against a professional's license and ability to practice, the name of the license holder will then be made public.

Complaint investigations focus on licensure and fitness of the licensee to practice. Disciplinary action, when warranted, ranges from warning to revocation of license, based on the circumstances. You should not expect a return of fees paid or additional unpaid services as part of the results of this process. If you seek restitution of this nature, consider consulting with the Consumer Protection Division of the Office of the Attorney General, retaining an attorney, or filing a case in Small Claims Court.

The Office of Professional Regulation's website is www.vtprofessional.org.