

### **IMPORTANT PRIVACY NOTICE**

The Direct Care Foundation ("DCF") and its affiliates adhere to strict client confidentiality policies and practices. DCF is committed to protecting the privacy of its members. To comply with applicable law and regulation, DCF is required to maintain and abide by the following **Privacy Policies and Practices** and to provide its members with this notice. Please be assured that:

- Any health, medical, insurance, employment, business, financial or other personal, non-public or protected health information you disclose to us ("Protected Information") is maintained by DCF in secured hard-copy and electronic files, with restricted access.
- Protected Information remains completely confidential and is disclosed only as is minimally necessary.
- DCF does not sell Protected Information to any third party, for any reason.
- It is not necessary for you to reply to this notice, or to take any other action, in order for your Protected Information to remain completely secure and confidential.

This notice may be revised within DCF's discretion to comply with applicable law and regulation. Any such revision shall apply to all of your past, present and future Protected Information maintained by DCF, on and after the effective date of that revision or its distribution to you, whichever date is later.

### **PRIVACY POLICIES AND PRACTICES**

#### **I. Commitment to Member Privacy**

- A. DCF values and respects the privacy and confidentiality of its members, and desires to safeguard, secure and protect Protected Information.
- B. DCF recognizes its legal and ethical duty to safeguard, secure and protect Protected Information.
- C. DCF shall maintain and abide by strict policies and practices to safeguard, secure and protect Protected Information.

#### **II. Definitions**

- A. Members: All prospective, current and former individual members of DCF, who have inquired about, applied for, or obtained insurance or benefit products or services from DCF, for personal, family or household purposes, and in doing so have shared or disclosed personal, non-public or protected health information with DCF.
- B. Protected Information: All information that personally identifies a Member and is not otherwise available to the public, which may generally include, but is not limited to, name, address, date of birth, social security number, telephone number, credit history, income, assets, investments, debts, marital status, tax filing status, dependent obligations, premiums, insurance coverage and claims, health history, medical treatment, medical information, business information and employment history.
- C. Affiliates: All companies or other legal entities, including all individuals employed by those entities, under common control or ownership with DCF.
- D. Non-Affiliated Third Parties: All companies or other legal entities and individuals not under common control or ownership with DCF, including but not limited to:
  1. attorneys, accountants, insurance carriers, and other companies or individuals on contract with or consulting for DCF.
  2. government agencies, third parties via court order or subpoena and other regulatory or legally required entities or individuals.
  3. other entities or individuals possessing medical, health, or insurance information or documentation of a Member.
  4. all other Non-Affiliated Third Parties not included in numbers 1, 2 and 3 above.

#### **III. Collecting and Disclosing Protected Information**

- A. DCF collects and discloses only that Protected Information which is minimally necessary to:
  1. provide or administer the product or service requested by the Member, including underwriting, claims adjudication, case management and investigation;
  2. allow DCF to provide superior products and services;
  3. comply with applicable law and regulation;
  4. respond to a Member inquiry or complaint;
  5. protect and safeguard Protected Information and DCF records;
  6. take any other action authorized and requested by the Member; or
  7. otherwise effect, administer or enforce a Member requested product, service or transaction, or perform any insurance function.
- B. DCF collects the majority of Protected Information directly from the Member during the application or enrollment process, and then subsequently as requested by the Member to administer benefits or to change or adjust product coverage and/or service.
- C. Confidential Information will not be collected from or disclosed to Non-Affiliated Third Parties listed in II. D. 4 above, by DCF, unless authorized and requested by the Member in writing.
- D. Confidential Information may be collected from or disclosed to the Non-Affiliated Third Parties listed in II. D. 1, 2 and 3 above, by DCF, without additional authorization from the Member, but only for the purposes described in III. A above.

#### **IV. Safety and Security of Protected Information**

- A. DCF ensures the safety and security of all Protected Information with strict policies and practices.
- B. DCF discloses only that Protected Information which is minimally necessary for the purposes described in III. A above.
- C. DCF maintains Protected Information in fully secured and restricted hard-copy and electronic files.
- D. DCF allows only fully authorized employees access to Protected Information, trained in the proper handling and disclosure of confidential and private information.
- E. A strict disciplinary process applies should an employee violate DCF's privacy policies and practices.
- F. Protected Information is never disclosed without the Member's prior authorization, other than as described in III. A above.
- G. Protected Information is never sold to an Affiliated or Non-Affiliated Third Party, for any reason.
- H. Prior to disclosing Protected Information to Non-Affiliated Third Parties for the purposes described in III. A above, DCF requires that third party to adopt and implement similar privacy policies and practices.

#### **V. Rights and Responsibilities of Members**

- A. It is not necessary for a Member to respond to this notice, or to contact DCF in any manner, to ensure the privacy and confidentiality of his/her Protected Information. Protected Information is safe and secure as stated within this notice.
- B. DCF will provide an individual with a copy of this notice, as may be amended, at the time he/she first purchases a product or service from DCF, and at least annually thereafter or at the time of a revision. A Member may request a copy of this notice at any time as directed below.
- C. Members may submit a written request to receive a copy of their Protected Information maintained by DCF, for a reasonable copying fee, except such information or records originating from a medical provider or its custodian, or relevant to a potential or pending legal claim against DCF. The Member's medical provider or attorney should instead be consulted. Written requests must be submitted as directed below.
- D. Members may notify DCF of errors in the Protected Information maintained by DCF, or request restrictions on its use, disclosure or method of delivery, or revoke a prior authorization, or request an accounting of disclosures, by submitting a written request as directed below. Revisions and corrections are within DCF's discretion.
- E. A Member may file a complaint with DCF, the U.S. Department of Health and Human Services, or his/her state Department of Insurance, if his/her privacy rights are violated. The complaint should be stated in writing and submitted as directed below if addressed to DCF. A Member will not be penalized for filing a complaint.
- F. Members may contact DCF with any questions, concerns, requests or inquiries regarding this notice or the Protected Information maintained by DCF, by writing to this address: Attn: Privacy Official, Direct Care Foundation, 2281 South Edgewood Road, Millbrook, AL 36054.