

Notice of Privacy Practices

Your Information. Your Rights. Our Responsibilities.

This notice describes how medical information about you may be used and disclosed and how you can get access to this information. Please read it carefully.

Your Rights

When it comes to your health information, you have certain rights. You have a right to:

Get a copy of your health and claims records

- You can request a copy of your health and claims records or other health information we have about you.
- We will provide a copy or a summary of your health and claims records, usually within 30 days of your request. We may charge a reasonable, cost-based fee.

Ask us to correct health and claims records

- You can ask us to correct your health and claims records if you think they are incorrect or incomplete.
- We may say “no” to your request, but we’ll tell you why in writing within 60 days.

Request confidential communications

- You can specify how we contact you or ask us to send mail to a different address.
- We will consider all reasonable requests and must say “yes” if you tell us you would be in danger if not.

Ask us to limit what we use or share

- You can ask us not to use or share certain health information for treatment, payment, or our operations.
- We are not required to agree to your request, and we may say “no” if it would affect your care.

Get a list of those with whom we’ve shared information

- You can ask for a list (accounting) of the times we’ve shared your health information for six years prior to the date you ask, who we shared it with, and why.
- We will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures (such as any you asked us to make). We’ll provide one accounting a year for free but will charge a reasonable, cost-based fee 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, even if you have agreed to receive the notice electronically.

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.
- We will make sure the person has this authority and can act for you before we take any action.

If you feel your rights are violated

- You can file a complaint if you feel we have violated your rights.
- Complaints are filed with the U.S. Dept of Health and Human Services at 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 877-696- 6775, or visiting www.hhs.gov/hipaa/filing-a-complaint/.
- We will not retaliate against you for filing a complaint.

Your Choices

For certain health information, you can tell us your choices about what we share. If you have a clear preference for how we share your information in the situations described below, talk to us. Tell us what you want us to do, and we will follow your instructions.

In these cases, you have both the right and choice to tell us 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 unable to tell us your preference, for example if you are unconscious, we may share your information if we believe it is in your best interest. We may also share your information when needed to lessen a serious or imminent health threat.

In these cases, we never share your information unless you give us written permission:

- Marketing purposes
- Sale of your information

Our Uses and Disclosures

How do we typically use or share your health information? We may use or share your info in these ways:

Help manage the health care treatment you receive

- We can use your health information and share it with professionals who are treating you.
Example: A doctor sends us information about your treatment plan so we can arrange additional services.

Run our organization

- We can use and disclose your information to run our organization and contact you when necessary.
- We are not allowed to use genetic information to decide whether we will give you coverage and the price of that coverage. This does not apply to long term care plans.
Example: We use health information about you to develop better services for you.

Pay for your health services

- We can use and disclose your health information as we pay for your health services.
Example: We share information with your dental plan to coordinate payment for your dental work.

Administer your plan

- We may disclose your health information to your health plan sponsor for plan administration.
Example: Your company contracts with us to provide a health plan, and we provide your company with certain statistics to explain the premiums we charge.

How else can we use or share your health information?

- We are 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. We have to meet many conditions in the law before we can share your information for these purposes.

Help with public health and safety issues

- We 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

- We can use or share your information for health research.

Comply with the law

- We 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 we're complying with federal privacy law.

Respond to organ and tissue donation requests and work with a medical examiner or funeral director

- We can share health information about you with organ procurement organizations.
- We can share health information with a coroner, medical examiner, or funeral director if an individual dies.

Address workers' compensation, law enforcement, and other government requests

- We 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

- We can share health information about you in response to a court or administrative order, or in response to a subpoena.

Our Responsibilities

- We are required by law to maintain the privacy and security of your protected health information.
- We will notify you if a breach occurs that may have compromised the privacy or security of your information.
- We must follow the duties and privacy practices described in this notice and give you a copy of it.
- We will not use or share your information other than as described here unless you tell us we can in writing. You may change your mind at any time. Let us know in writing if you change your mind.
- For more information see: www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html

Changes to the Terms of This Notice

- We can change the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available online, provided at the beginning of each new plan year, and upon request from you.

This Notice of Privacy Practices applies to the following organizations.

Horner Electric, Inc.

Addendum 1 – Notice of Privacy Practices

Special Protections for Substance Use Disorder Records

This Addendum is provided to comply with federal law governing the confidentiality of Substance Use Disorder (“SUD”) record protections added to the Notice of Privacy Practices via a February 16, 2024, final rule from the U.S. Department of Health & Human Services (HHS).

Enhanced Privacy Protections for SUD Records

- Records that identify an individual as having sought or received substance use disorder diagnosis, treatment, or referral for treatment are subject to special confidentiality protections under federal law (42 CFR Part 2), in addition to the protections provided by the Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- SUD records may not be used or disclosed unless permitted by federal law and, where required, authorized by the individual.
- SUD records may not be used in legal proceedings against you, without your written consent or the order of a court after you have been provided notice of the court order and an opportunity to be heard.

Uses and Disclosures of SUD Records

- When permitted by law, the Plan may use or disclose SUD records for purposes such as treatment, payment, and health care operations, consistent with HIPAA and 42 CFR Part 2 requirements.
- Any use or disclosure of SUD records must comply with applicable federal restrictions, including limitations on redisclosure.

Prohibition on Unauthorized Redisclosure

- Federal law strictly prohibits the redisclosure of SUD records unless the recipient is permitted to receive the information under applicable law.
- Recipients of SUD records are prohibited from redisclosing such information unless expressly allowed by federal law.

No Discrimination or Retaliation

- The Plan is prohibited from discriminating against an individual based on information contained in SUD records. This includes, but is not limited to, discrimination in:
 - Enrollment or eligibility decisions
 - Coverage or benefit determinations
 - Employment-related actions (where applicable)
- The Plan will not retaliate against any individual for exercising their privacy rights related to SUD records.

Individual Rights Related to SUD Records

In addition to rights described in the Plan’s Notice of Privacy Practices, individuals have the right to:

- Request restrictions on certain uses or disclosures of their SUD records, as permitted by law
- Receive an accounting of disclosures of SUD records, where required
- File a complaint if they believe their SUD privacy rights have been violated

Complaints

- If you believe your rights regarding your SUD records have been violated, you may file a complaint.
- Complaints are filed with the U.S. Dept of Health and Human Services at 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 877-696- 6775, or visiting www.hhs.gov/hipaa/filing-a-complaint/.
- We will not retaliate against you for filing a complaint.

Addendum 2 – Notice of Privacy Practices

Redisclosure of Protected Health Information

This Addendum is provided to comply with federal law governing the redisclosure of protected health information added to the Notice of Privacy Practices via a February 16, 2024, final rule from the U.S. Department of Health & Human Services (HHS).

Uses and Disclosures of Protected Health Information

- Protected Health Information (“PHI”) disclosed by the Plan may be subject to redisclosure by the recipient and, in some circumstances, may no longer be protected by the HIPAA Privacy Rule.
- Once PHI is lawfully disclosed to a person or entity that is not subject to HIPAA, that information may be redisclosed and may not be protected by federal privacy laws. However, if the disclosed information is subject to stronger federal confidentiality protections, such as those applicable to Substance Use Disorder (SUD) records under 42 CFR Part 2, those protections continue to apply, and redisclosure is restricted unless expressly permitted by federal law.
- The Plan takes appropriate steps to safeguard PHI prior to disclosure and limits disclosures to those permitted or required by law. Individuals should be aware, however, that protections may vary depending on the recipient of the information and the laws that apply to that recipient.

Complaints

- If you believe your rights have been violated related to redisclosure of your PHI, you can file a complaint.
- Complaints are filed with the U.S. Dept of Health and Human Services at 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 877-696- 6775, or visiting www.hhs.gov/hipaa/filing-a-complaint/.
- We will not retaliate against you for filing a complaint.

Fundraising

- Prior to disclosing your protected health information and SUD records in the case of any fundraising efforts, you will be notified prior to receiving such fundraising communications. Such communication will provide you with the option of opting out of receiving such communications. Additionally, uses and disclosures of PHI for marketing purposes and disclosures that constitute a sale of PHI will require authorization.

Spouses and Other Family Members

- With only limited exceptions, we will send all mail to the employee. This includes mail relating to the employee's spouse and other family members who are covered under the Plan and includes mail with information on the use of Plan benefits by the employee's spouse and other family members and information on the denial of any Plan benefits to the employee's spouse and other family members.
- If a person covered under the Plan has requested Restrictions or Confidential Communications, and if we have agreed to the request, we will send mail as provided by the request for Restrictions or Confidential Communications.