

RN SERVICES OF ST. LOUIS HOME HEALTH CARE, LLC

EXPLANATION OF HIPAA RULES

General:

The Office for Civil Rights enforces The Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), which protects the privacy of individually identifiable health information through the HIPAA Privacy Rule; establishes a national set of security standards for protecting certain health information held or transferred in electronic form through the HIPAA Security Rule; and requires covered entities and business associates to provide notification following a breach of unsecured protected health information (“PHI”) through the HIPAA Breach Notification Rule.

HIPAA and its rules and regulations only applies to (a) covered entities and (b) business associates. A “covered entity” is defined as: (1) a health plan; (b) a health care clearinghouse; or (c) a health care provider who transmits any health information in electronic form in connection with a transaction covered by HIPAA. A “business associate” provides services to or on behalf of a covered entity where the provision of the services involves the disclosure of PHI.

It has been determined that RN Services of St. Louis Home Health Care, LLC (“RN Services” or, alternatively “we” or “us”) is neither a covered entity nor a business associate, and therefore, is not technically bound by HIPAA. However, because patients are often skeptical about allowing an individual or entity not bound by HIPAA to provide to them medical related services which would involve their transmission and/or maintenance of certain health information relating to the individual, it is a good idea to work toward being, and staying, HIPAA compliant.

Our Compliance Goals:

RN Services provides quality, compassionate, private in-home health care and assistance to patients with varying health related needs. Although RN Services is not legally bound by the HIPAA rules, we are dedicated to maintaining the privacy and security of our patients’ PHI. In the course of its business, RN Services will create, receive, maintain and transmit records regarding its patients and the treatment and services provided to them. RN Services, all individuals employed by RN Services, all volunteers working with patients of RN Services, and any other person who provides services to a patient through RN Services, including any business associate which RN Services engages, shall, to the best of their ability, follow the rules outlined below with respect to use and disclosure of PHI.

USE AND DISCLOSURE RULES REGARDING PHI.

RN Services will strive to comply with HIPAA’s use and disclosure provisions; in accordance therewith, RN Services may use and disclose PHI for the following purposes without the patient’s express written consent or authorization.

Treatment. RN Services may use a patient’s PHI to provide such patient with medical and related treatment. We may disclose information to hospitals, doctors, nurses, technicians, medical students or other personnel involved in the patient’s care. Additionally, we may disclose a patient’s PHI to others who may assist in his or her care, such as other agencies, therapists, family members and friends.

We may use and disclose PHI to discuss treatment options with the patient. We may use and disclose a patient’s PHI to remind him or her of upcoming appointments. Unless the patient directs us otherwise, we may leave messages on the patient’s telephone answering machine identifying RN Services and asking for the patient to return our call.

Health Care Operations. We may use and disclose patients' PHI to operate our business and maintain our license and accreditation. These uses and disclosures are necessary for our day-to-day operations and to make sure patients receive quality care. We may disclose a patient's PHI to another health care provider or health plan with which such patient has had a relationship for purposes of that provider's or plan's internal operations.

Creation of De-Identified Health Information. We may use our patients' PHI to create de-identified health information. This means that all data items that would help identify a particular patient are removed or modified so that such information no longer qualifies as PHI.

Uses and Disclosures Required By Law. We will use and/or disclose PHI when required by law to do so. For instance, a patient's PHI may be disclosed in response to a court order or in response to a subpoena, summons, discovery request or other lawful purpose.

Disclosures for Public Health Activities. We may disclose our patients' PHI to a government agency authorized (a) to collect data for the purpose of preventing or controlling disease, injury or disability; or (b) to receive reports of child abuse or neglect. We may also disclose such information to a person who may have been exposed to a communicable disease if permitted by law.

Disclosures about Victims of Abuse, Neglect or Domestic Violence. RN Services may disclose a patient's PHI to a government authority if we reasonably believe such patient is a victim of abuse, neglect or domestic violence.

Disclosures Regarding Victims of a Crime. In response to a law enforcement official's request, we may disclose information about a patient without the approval of such patient. We may also disclose information in an emergency situation or if the patient is incapacitated if it appears he or she was the victim of a crime.

Disclosures to Avert a Serious Threat to Health or Safety. We may disclose information to prevent or lessen a serious threat to the health and safety of a person or the public as necessary for law enforcement authorities to identify or apprehend an individual.

Disclosures for Specialized Government Functions. We may disclose PHI as required to comply with governmental requirements for national security reasons or for protection of certain government personnel or foreign dignitaries.

OTHER USES AND DISCLOSURES.

RN Services will endeavor to obtain a patient's express written authorization before using or disclosing such patient's PHI for any other purpose not described in the paragraphs above. For example, authorizations are required for use and disclosure of psychotherapy notes, certain types of marketing arrangements, and certain instances involving the sale of PHI. The patient may revoke such authorization, in writing, at any time to the extent RN Services has not relied on it.

EFFORTS TO KEEP PHI SECURE.

HIPAA Compliance Officer. RN Services is committed to ensuring the security of PHI. Toward this end, RN Services will appoint a HIPAA Compliance Officer. The HIPAA Compliance Officer will manage the facilitation and implementation of activities related to both the privacy and security of PHI.

As set forth in 45 C.F.R. § 164.308(a)(2), the HIPAA Compliance Officer will serve as the focal point for security compliance related activities and responsibilities. In general, the HIPAA Compliance Officer will work toward developing, maintaining, and implementing organizational policies and procedures, conducting educational programs, reviewing conduct of those assigned security responsibilities, and administering reviews relating to RN Services' security program.

RN Services' current HIPAA Compliance Officer is:

Name/Title: Mike Buescher

Phone Number: 314-630-7761

E-mail: info@rnservicesSTL.com

All employees of RN Services shall be made aware of the HIPAA Compliance Officer's identity, as well as his or her role and responsibilities. Any HIPAA Compliance Officer changes shall be promptly communicated.

The HIPAA Compliance Officer leads in the development, awareness and enforcement of information security policies and procedures, measures and mechanisms to ensure prevention, detection, containment, and correction of security incidents. He/she will also ensure that the policy/procedure requirements comply with statutory and regulatory requirements regarding security of electronic private health information ("ePHI").

The HIPAA Compliance Officer shall maintain security policies that include: (a) administrative safeguards: formal mechanisms for risk analysis and management, information access controls, and appropriate sanctions for failure to comply; (b) physical safeguards: ensure assigned security responsibilities, control access to media, protect against hazards and unauthorized access to computer systems, and secure workstation locations and use; and (c) technical safeguards: establish access controls, emergency procedures, authorization controls, and data/entity access and authentication.

The HIPAA Compliance Officer maintains security procedures that include: (a) evaluation of compliance with security measures; (b) contingency plans for emergencies and disaster recovery; (c) security incident response process and protocols; (d) testing of security procedures, measures and mechanisms, and continuous improvement; (e) security incident reporting mechanisms and sanction policy; and (f) proper documentation of security incidents and the responses to them.

The HIPAA Compliance Officer maintains appropriate security measures and mechanisms to guard against unauthorized access to electronically stored and/or transmitted patient data and protect against reasonably anticipated threats and hazards, for example: (a) integrity controls; (b) authentication controls; (c) access controls; (d) encryption; and (e) abnormal condition alarms, audit trails, entity authentication, and event reporting.

The HIPAA Compliance Officer oversees and/or performs on-going security monitoring of organization information systems.

The HIPAA Compliance Officer is responsible for directing or conducting periodic risk assessments as RN Services' systems or processes change or new ones are added.

The HIPAA Compliance Officer will evaluate and recommend new information security technologies and counter-measures against threats to information or privacy.

The HIPAA Compliance Officer ensures ongoing compliance through suitable training/awareness programs and periodic security audits.

The HIPAA Compliance Officer serves as a resource regarding matters of informational security.

The HIPAA Compliance Officer will ensure that security concerns have been addressed in system implementations including any exchange of health information with patients and outside entities.

Exhibit A-1

EMPLOYEE ACKNOWLEDGEMENT

As an employee of RN Services, you will have access to PHI and other confidential information including patient, financial or business transactions, which is obtained through association with a patient.

Our goal is to assure that PHI and any other patient related confidential information to which you become privy, remains confidential; that is, it will be used only as necessary to accomplish patient care.

In furtherance of such goal, you hereby agree to comply with the use and disclosure rules set forth in the above Explanation of HIPAA Rules, and you understand that your failure to so comply may result in disciplinary action, which may include, without limitation, termination of employment with RN Services.

Signature

Date

Printed Name