

you may inspect and obtain a copy of your PII that is contained in a designated records set for so long as we maintain the PII. A “designated record set” contains medical records, billing records, and any other records that CVC uses for making decisions about you.

Under federal law, however, you may not inspect or copy the following records:

- Psychotherapy notes
- Information compiled in reasonable anticipation of, or use in, a civil, criminal, or administrative action or proceeding, and
- PII that is subject to law that prohibits access to PII (In some circumstances, you may have a right to have this decision reviewed. Please contact our Privacy Officer with questions about access to your PII.)

(b) **You have the right to request a restriction of your PII:** This means you may ask us not to disclose any part of your PII for the purpose of business activities or CAC activities. A third party requiring this information for business activities is not required to agree to a restriction that you may request. If a third party does not agree to the requested restriction, we may not use or disclose your PII in violation of that restriction unless it is needed to facilitate emergency treatment.

1. You may also request any part of your PII not be disclosed to family or friends you may have designated as an authorized contact.
2. You may request any part of your PII not be disclosed for notification purposes as described in this Notice.
3. You also have the right to restrict certain disclosures of your PII to a health plan if you have paid in full, out-of-pocket for the health care item or service.
  - Your request must state the specific restriction requested and to whom you want the restriction to apply.

ii. You have the right to request to receive confidential communications from us by alternative means or at an alternative location: CVC will accommodate reasonable requests.

iii. You may have the right to have CVC amend your PII: This means you may request an amendment of PII about you in a designated record set for as long as CVC maintains this information. In certain cases we may deny a request for amendment.

1. If we deny a request for amendment you have the right to file a statement of disagreement and CVC may prepare a response to your statement. You will be provided with a copy of any such response. Please contact our Privacy Officer if you have questions about amending your record.

iv. You have the right to receive an accounting of certain disclosures we have made, if any, of your PII: This right applies to disclosures for purposes other than business activities or CAC activities as described in this Notice.

1. It excludes disclosures made to you, to your family, or for general notification purposes.

a. You have the right to receive specific information regarding

these disclosures that occurred within the six years prior to the accounting request. The right to receive this information is subject to certain exceptions, restrictions, and limitations.

v. You have the right to obtain a paper copy of this Notice: You have the right to obtain a paper copy of this Notice from us, upon request, even if you have agreed to accept this Notice electronically previously.

vi. You have the right to receive notifications of a data breach: CVC is required to notify you upon a breach of any unsecured PII. PII is “unsecured” if it is not protected by a technology or methodology specified by the Privacy Officer.

1. The notice must be made within 60 days from when CVC becomes aware of the breach.

- a. If CVC has insufficient contact information for you, an alternative notice method such as a posting on website, broadcast media, etc. may be used.

3. **How CVC protects your information:** CVC is dedicated to protecting your PII and have a number of policies and procedures in place to make sure PII is kept secure.

- (a) CVC uses physical, electronic, and procedural means to keep your oral, written, and electronic PII safe. Federal and state laws regarding your privacy are followed. Some of the ways we keep PII safe includes:
- Secure offices
  - Computer passwords which are changed frequently
  - Locked storage areas with restricted access
  - Secure and confidential communications, and
  - Written policies, procedures, and training for handling and securing PII.

4. **Questions and complaints:** You may use the contact information below to submit a question to CVC’s Privacy Officer, to file a complaint with CVC if you think we have not protected your privacy properly, or to file a complaint with CMS related to CVC’s CAC activities. You may also file a complaint with the Secretary of Health and Human Services. CVC will not take any action against you for filing a complaint.

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|------------------------------------|------------------------------------|
| (a) <b>CVC contact information</b> | (b) <b>CMS contact information</b> |
| Caring Voice Coalition, Inc.       | Health Insurance Marketplace       |
| ATTN: Privacy Officer              | Department of Health and           |
| 6606 W Broad St, Suite 403         | Human Services                     |
| Richmond, VA 23230                 | 465 Industrial Blvd.               |
| (888) 267-1440                     | London, KY 40750-0001              |
| cvcinfo@caringvoice.org            | (800) 318-2596                     |
|                                    | TTY: (855) 889-4325                |

(b) **Effective date:** This Notice became effective on Oct. 1, 2018, and supplants all previous CVC privacy notices. If you have any questions or objections about this Notice, please contact CVC’s Privacy Officer.

(c) **Copies and changes:** You have the right to receive a copy of this Notice at any time. CVC reserves the right to change this Notice at any time. Any revisions will apply to PII already maintained on record as well as any PII, which may be obtained in the future. We are required by law to follow the Notice that is then in effect.

## CARING VOICE COALITION, INC.

### Notice of Privacy Practices

**THIS NOTICE DESCRIBES HOW YOUR PERSONALLY IDENTIFIABLE INFORMATION (PII) OR PROTECTED HEALTH INFORMATION (PHI) MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO IT. PLEASE REVIEW IT CAREFULLY.**

Caring Voice Coalition, Inc. (CVC) collects, uses, discloses, and maintains PII and PHI as required by law, accreditation standards, and our rules. This Notice of Privacy Practices (Notice) explains your rights. It also explains our privacy practices—how we collect, use, and disclose your information—and our legal duties with respect to your PII/PHI (collectively referred to herein as PII).

#### 1. Application of this Notice:

(a) **The following rules and responsibilities are applicable to the PII collected, used, disclosed, and maintained related to:**

1. The delivery of CVC’s services (primarily health insurance counseling, disability assistance and financial assistance) as required by law, including the HIPAA Privacy Rule.
2. The delivery of Certified Application Counselor (CAC) services as determined and monitored by the Centers for Medicare and Medicaid Services (CMS).

#### (b) Information to be collected

The following data and PII may be collected from consumers and clients, including but not limited to:

- Access to or enrollment in employer, other health coverage
- Applicant Cost Sharing Reduction (CSR) level and eligibility indicator, start, and end dates; eligibility indicator, start and end dates for: Medicaid, Children’s Health Insurance Program (CHIP), Qualified Health Plan (QHP), and Advance Premium Tax Credit (APTC) percentage and amount applied; eligibility status change for: QHP, APTC, CSR; Initial or Annual Open Enrollment indicator, start and end dates; maximum APTC amount, APTC percentage and amount applied; Special Enrollment Period eligibility indicator and reason code; Auto disenrollment information
- Applicant information, e.g.: name, address, birthdate, telephone number and email, Social Security Number, gender, tax filing status, tobacco use status, race/ethnicity, citizenship status, immigration document type and numbers, household income, American Indian/Alaska Native status, membership in federally recognized tribe, and language preference.
- Contact person’s name, address, birthdate, telephone number, email and language
- Enrollment group history and type period; Federally Facilitated Exchange (FFE) Applicant ID and Member ID; Issuer Member ID; Net premium amount; Premium amount, start and end dates; Subscriber indicator and relationship to subscriber

(c) **Consumer requirement to disclose PII:** Services are provided on a voluntary basis. Consumers are not required to disclose any

information that they do not wish to disclose.

- i. Effects of nondisclosure: While consumers are not required to disclose PII, some PII may be a requirement of the service's application or enrollment process (such as for a QHP, other health plan, or to determine eligibility for Insurance Affordability Programs. If a consumer decides not to provide requested information it may affect CVC's ability to effectively deliver CVC and CAC services (described below).
- ii. Consumer rights in the event of nondisclosure: If a consumer decides not to provide PII, limiting our ability to effectively deliver CVC and CAC services, CVC will a.) Attempt to explain to the consumer how non-disclosure will impact their ability to access services such as a QHP, other health plan, or Insurance Affordability Programs; and, as necessary, b.) refer the consumer to an alternate assister resource that better meets their disclosure needs (i.e. local assister group).

**(d) Uses and disclosures of PII**

- i. **For CAC activities:** Pursuant to 45 CFR 155.225(c), CACs are expected to provide the following services to Consumers: a.) Provide information about the full range of Qualified Health Plan (QHP) options and Insurance Affordability Programs for which Consumers are eligible which includes: providing fair, impartial, and accurate information that assists Consumers with submitting the eligibility application; clarifying the distinctions among health coverage options, including QHP's; and helping Consumers make informed decisions during the health coverage selection process b.) Assist with applications for coverage in a QHP through the FFE and for Insurance Affordability Programs, and c.) Help to facilitate enrollment in QHP's and Insurance Affordability Programs (collectively referred to herein as "Authorized Functions").
- ii. **For which your authorization is not required:**
  1. *Business activities:* We may use or disclose your PII, as necessary, to contact you to offer services.
  2. *Payment:* We may use and share PII to manage any grant that you receive from us. For example, we keep information about your insurance and copayments. We may give information to a pharmacy to confirm any financial grant with CVC.
  3. *Treatment activities:* CVC does not provide treatment, but we may share PII with your doctor, pharmacy or other health care provider relating to any financial grant or in the course of providing any counseling services we conduct at CVC.
  4. *Health care operations:* We may use or disclose, as needed, your PII in order to support the business activities of our patient assistance and other programs. These activities include, but are not limited to, quality assessment activities, employee review activities, licensing, and conducting or arranging for other business activities. We may use or disclose your PII, as necessary, to contact you to remind you of your financial grant

information.

iii. **For which your written authorization is required:**

1. *For CAC activities:* CVC requires, in accordance with 45 CFR 155.225(f), that Consumers provide written authorization before carrying out Authorized Functions.
  - a. In addition to the Authorized Functions listed above, written authorization is required if:
    - A paper application is submitted through the FFE for coverage in a QHP or for Insurance Affordability Programs
    - An appeal is submitted through the FFE disagreeing with a determination made related to eligibility for a QHP, other health plan, or Insurance Affordability Programs
    - The consumer requests assistance resolving a question, conflict, or dispute with a third party and that third party requires written authorization to appoint an authorized representative
  2. *Other uses and disclosures not described in this Notice:* CVC will obtain written authorization prior to use or disclosure of PII for any purposes not described in this Notice. You may revoke this authorization, at any time, in writing, except to the extent that CVC has already taken an action in reliance on the use or disclosure indicated in the authorization.

iv. **That may be made with an opportunity for the consumer to object:**

1. *Emergencies:* CVC may use or disclose PII in an emergency situation. To the extent it is reasonably practical, CVC will attempt to obtain consent from the Consumer.
2. *Others involved in your health care:* Unless you object, we may disclose to a member of your family, a relative, a close friend or any other person you identify, PII that directly relates to that person's involvement in your health care. If you are unable to agree or object to such disclosure, we may disclose such information as necessary if we determine that it is in your best interest based on our professional judgment. We may use or disclose PII to notify or assist in notifying a family member, personal representative or any other person that is responsible for your care. Finally, we may use or disclose your PII to an authorized public or private entity to assist in disaster relief efforts and to coordinate uses and disclosures to family or other individuals involved in your health care.

v. **That may be made without an opportunity for the consumer to object:**

1. *Required by law:* CVC may use or disclose PII to the extent that law requires the use or disclosure. The use or disclosure will be made in compliance with the law and will be limited to the relevant requirements of the law.
2. *Public health:* CVC may disclose PII for public health activities and purposes to a public health authority that is permitted by law to collect or receive the information. This disclosure will be made for the purpose of controlling disease, injury, or disability.
3. *Communicable disease:* CVC may disclose PII, if authorized by law, to a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading the

disease or condition.

4. *Health oversight:* CVC may disclose PII to a health oversight agency for activities authorized by law, such as audits, investigations, and inspections. Oversight agencies seeking this information include government agencies that oversee the health care system, government benefit programs, and other government regulatory programs.
  5. *Abuse or neglect:* CVC may disclose PII to a public health authority that is authorized by law to receive reports of child abuse or neglect. In addition, CVC may disclose PII if it is believed the Consumer has been a victim of abuse, neglect, or domestic violence to the governmental entity or agency authorized to receive such information. In this case, the disclosure will be made consistent with the requirements of applicable federal and state laws.
  6. *Food and Drug Administration (FDA):* CVC may disclose PII to a person or company required by the FDA a.) To report adverse events, product defects or problems, biologic product deviations, track products; b.) To enable product recalls; c.) To make repairs or replacements.
  7. *Legal proceedings:* CVC may disclose PII in the course of any judicial or administrative proceeding, in response to an order of a court or administrative tribunal (to the extent such disclosure is expressly authorized), in certain conditions in response to a subpoena, discovery request, or other lawful process.
  8. *Law enforcement:* CVC may disclose PII, so long as applicable legal requirements are met, for law enforcement purposes.
  9. *Research:* CVC may disclose PII to researchers if an Institutional Review Board has reviewed the research proposal and ensured they have established protocols to ensure the privacy of PII.
  10. *Criminal activity:* Consistent with applicable federal and state laws, CVC may use or disclose PII if it is believed the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health and safety of a person or the public.
  11. *Military activity and national security:* When the appropriate conditions apply, CVC may use or disclose PII of individuals who are Armed Forces personnel: a.) For activities deemed necessary by appropriate military command authorities; b.) For the purpose of a determination by the Department of Veterans Affairs; c.) To foreign military authority if you are a member of the foreign military services.
  12. *Worker's compensation:* CVC may use or disclose PII as authorized to comply with worker's compensation laws and other similar, legally established programs.
  13. *Inmates:* CVC may use or disclose PII related to status as an inmate of a correctional facility if the use or disclosure is required in the course of providing Authorized Functions.
2. **Your rights:** The following are statements of your rights with respect to your PII and a brief description of how you may exercise these rights.
- (a) **You have the right to inspect and copy your PII:** This means