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## Privacy Policy & Notice of Privacy Practices

Smile Solutions Dentistry

Effective Date: 02/01/2024

***This Notice describes how medical and dental information about you may be used and disclosed and how you can access this information. It is provided in compliance with:***

- ***The Health Insurance Portability and Accountability Act of 1996 (HIPAA)***
- ***The Texas Medical Records Privacy Act (Texas Health & Safety Code Chapter 181, HB 300)***
- ***Applicable Texas breach notification laws (Texas Business & Commerce Code Chapter 521)***

***Please review it carefully.***

### Our Legal Duties

Smile Solutions Dentistry is required by federal and Texas law to:

- Maintain the privacy and security of your Protected Health Information (PHI)
- Provide you with notice of our legal duties and privacy practices
- Abide by the terms of this Notice currently in effect
- Provide additional protections required under Texas law
- Notify you promptly if a breach occurs that may compromise your PHI
- Provide training to workforce members regarding privacy protections as required under Texas law

Protected Health Information (PHI) includes information that identifies you and relates to your past, present, or future physical or mental health condition, treatment, or payment for healthcare services.

Texas law provides broader privacy protections than federal HIPAA in certain circumstances, and we comply with both.

## How We May Use and Disclose Your Information

### 1. Treatment

We may use and disclose your PHI to provide, coordinate, or manage your dental care.

Examples:

- Reviewing x-rays and medical histories
- Referring you to specialists
- Consulting with laboratories
- Coordinating with other healthcare providers

### 2. Payment

We may use and disclose your PHI to obtain payment for services rendered.

Examples:

- Submitting claims to dental or medical insurance
- Verifying eligibility and benefits
- Billing statements
- Collections activities
- Disclosure to financing companies when authorized

### 3. Healthcare Operations

We may use and disclose your PHI for business operations necessary to operate our practice.

Examples:

- Quality improvement
- Licensing and credentialing
- Compliance reviews
- Staff training
- Risk management

## Uses and Disclosures Requiring Authorization

Under Texas and federal law, we must obtain your written authorization for:

- Marketing communications (with limited exceptions)

- Sale of protected health information
- Most disclosures of psychotherapy notes
- Use of PHI for purposes not described in this Notice

You may revoke authorization at any time in writing.

#### Disclosures Required or Permitted by Law

We may disclose PHI without your authorization when required by law, including:

- Public health reporting
- Reporting abuse or neglect
- Law enforcement requests
- Court orders or subpoenas
- Workers' compensation claims
- Health oversight agencies
- Texas State Board of Dental Examiners (TSBDE) compliance inquiries
- U.S. Department of Health and Human Services investigations

Texas law may require disclosure in certain circumstances beyond federal requirements.

#### Texas-Specific Privacy Protections (HB 300)

Under Texas law:

- We may not electronically disclose your PHI without proper authorization except as allowed by law.
- We must provide greater transparency regarding electronic disclosures.
- You may request an accounting of electronic disclosures of your PHI.
- Workforce members are trained according to Texas privacy standards.

#### Your Rights Under HIPAA and Texas Law

You have the following rights:

##### 1. Right to Access

You may request access to inspect or obtain a copy of your dental records in paper or electronic format.

We may charge a reasonable, cost-based fee permitted by Texas law.

## 2. Right to Amend

You may request correction of information you believe is inaccurate or incomplete.

## 3. Right to Request Restrictions

You may request restrictions on certain uses or disclosures. We are not required to agree except when:

- You pay in full out-of-pocket for a service, and
- You request that we not disclose that information to your insurance carrier.

In that case, we must comply unless disclosure is required by law.

## 4. Right to Confidential Communications

You may request we contact you in a specific manner (for example, only at work or only via mail).

## 5. Right to an Accounting of Disclosures

You may request a list of certain disclosures made outside of treatment, payment, and healthcare operations.

## 6. Right to Revoke Authorization

You may revoke any written authorization at any time in writing.

## 7. Right to a Copy of This Notice

You may request a paper copy of this Notice at any time.

## Electronic Communications & Website Privacy

If you communicate with us via:

- Email
- Website contact forms
- Text messaging (SMS)
- Patient portals

Please be aware:

- Standard email and text messaging may not be fully secure.
- By communicating electronically, you acknowledge certain risks unless using a secure patient portal.

- We will make reasonable efforts to protect electronic communications in compliance with Texas and federal law.

We do not sell your protected health information.

#### Text Messaging & Appointment Reminders

We may contact you by:

- Phone
- Voicemail
- Text message
- Email

For purposes including:

- Appointment reminders
- Treatment follow-ups
- Billing notifications
- Office updates

You may opt out of text or marketing communications at any time.

#### Minors

Texas law contains specific provisions regarding the confidentiality of minors' records. We comply with Texas laws governing parental access and minor consent situations.

#### Data Security

We implement administrative, technical, and physical safeguards to protect your information, including:

- Secure electronic record systems
- Password-protected systems
- Workforce privacy training
- Business Associate Agreements with vendors handling PHI

#### Breach Notification

In the event of a breach of unsecured PHI:

- We will notify affected individuals without unreasonable delay as required by federal and Texas law.
- If required, we will notify the Texas Attorney General and/or the U.S. Department of Health and Human Services.
- Notifications will include steps you may take to protect yourself.

#### Changes to This Notice

We reserve the right to revise this Notice. Any changes will apply to all information we maintain and will be posted on our website with an updated effective date.

#### Complaints

If you believe your privacy rights have been violated, you may file a complaint with:

Privacy Officer:

Director of Operations

Smile Solutions Dentistry

4337 Teravista Club Dr, STE #200, Round Rock, TX 78665

(512) 352-9192

[Info@smilesolutionsroundrock.com](mailto:Info@smilesolutionsroundrock.com)

You may also file a complaint with:

U.S. Department of Health and Human Services

Office for Civil Rights

<https://www.hhs.gov/ocr>

Or:

Texas Attorney General's Office

<https://www.texasattorneygeneral.gov>

You will not be retaliated against for filing a complaint.