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Privacy Policy:

Effective 09/01/2009

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

Uses and Disclosures

Treatment. Your health information may be used by staff members or disclosed to other health care professionals for the purpose of evaluating your health, diagnosing medical conditions, and providing treatment. For example, results of laboratory tests and procedures will be available in your medical record to all health professionals who may provide treatment or who may be consulted by staff members.

Payment. Your health information may be used to see payment from your health plan, from other sources of coverage such as an automobile insurer, or from credit card companies that you may use to pay for services. For example, your health plan may request and receive information on dates of service, the services provided, and the medical condition being treated.

Health care operations. Your health information may be used as necessary to support the day-to-day activities and management of Anil K. Gupta, MD, PLC. For example, information on the services you received may be used to support budgeting and financial reporting, and activities to evaluate and promote quality.

Law enforcement. Your health information may be disclosed to law enforcement agencies to support government audits and inspections, to facilitate law-enforcement investigations, and to comply with government mandated reporting.

Public health reporting. Your health information may be disclosed to public health agencies as required by law. For example, we are required to report certain communicable diseases to the state's public health department.

Other uses and disclosures require your authorization. Disclosure of your health information or its use for any purpose other than those listed above requires your specific written authorization. If you change your mind after authorizing a use or disclosure of your information you may submit a written revocation of the authorization. However, your decision to revoke the authorization will not affect or undo any use or disclosure of information that occurred before you notifies us of your decision to revoke your authorization.

Additional Uses of Information

Appointment reminders. Your health information will be used by our staff to send you appointment reminders. Information about treatments. Your health information may be used to send you information that you may find interesting on the treatment and management of your medical condition. We may also send you information describing other health-related products and services that we believe may interest you.

Individual Rights

You have certain rights under the federal privacy standards. These include:

the right to request restrictions on the use and disclosure of your protected health information

the right to receive confidential communications concerning your medical condition and treatment

the right to inspect and copy your protected health information

the right to amend or submit corrections to your protected health information

the right to receive an accounting of how and to whom your protected health information has been disclosed

the right to receive a printed copy of this notice

Anil K. Gupta, MD. Duties

We are required by law to maintain the privacy of your protected health information and to provide you with this notice of privacy practices.

We also are required to abide by the privacy policies and practices that are outlined in this notice.

Right to Revise Privacy Practices

As permitted by law, we reserve the right to amend or modify our privacy policies and practices.

These changes in our policies and practices may be required by changes in federal and state laws and regulations. Upon request, we will provide you with the most recently revised notice on any office visit. The revised policies and practices will be applies to all protected health information we maintain.

Requests to Inspect Protected Health Information

You may generally inspect or copy the protected health information that we maintain. As permitted by federal regulation, we require that requests to inspect or copy protected health information be submitted in writing. You may obtain a form to request access to your records by contacting our office. Your request will be reviewed and will generally be approved unless there are legal or medical reasons to deny the request.

Complaints

If you would like to submit a comment or complaint about our privacy practices, you can do so by sending a letter outlining your concerns to:

Anil K. Gupta, MD

32121 Woodward Avenue, Ste 203

Royal Oak, MI 48073

PH: 248.549.9035

contact@guptaentcenter.com

If you believe that your privacy rights have been violated, you should call the matter to our attention by sending a letter describing the cause of your concern to the same address. You will not be penalized or otherwise retaliated against for filing a complaint.

FTC Red Flag Rule

Policies and procedures Identity theft prevention and detection and Red Flags Rule compliance

Policy

It is the policy of Anil K. Gupta, MD, PLC to follow all federal and state laws and reporting requirements regarding identity theft. Specifically, this policy outlines how Anil K. Gupta, MD PLC will (1) identify, (2) detect and (3) respond to “red flags.” A “red flag” as defined by this policy includes a pattern, practice, or specific account or record activity that indicates possible identity theft.

It is the policy of Anil K. Gupta, MD PLC. that this Identity theft prevention and detection and Red Flags Rule compliance program is approved by Dr. Anil K. Gupta as of August 1, 2009, and that the policy is reviewed and approved no less than annually.

It is the policy of Anil K. Gupta, MD, PLC, that Dr. Anil K. Gupta is assigned the responsibility of implementing and maintaining the Red Flags Rule requirements. Furthermore, it is the policy of this Anil K. Gupta, MD, PLC, that this individual will be provided sufficient resources and authority to fulfill these responsibilities. At a minimum, it is the policy of Anil K. Gupta, MD, PLC, that there will be one individual or job description designated as the privacy official.

It is the policy of Anil K. Gupta, MD, PLC that, pursuant to the existing HIPAA Security Rule, appropriate physical, administrative and technical safeguards will be in place to reasonably safeguard protected health information and sensitive information related to patient identity from any intentional or unintentional use or disclosure.

It is the policy of Anil K. Gupta, MD, PLC that its business associates must be contractually bound to protect sensitive patient information to the same degree as set forth in this policy. It is also the policy of this Anil K. Gupta, MD, PLC that business associates who violate their agreement will be dealt with first by an attempt to correct the problem, and if that fails by termination of the agreement and discontinuation of services by the business associate.

It is the policy of Anil K. Gupta, MD, PLC that all members of our workforce have been trained by the August 1, 2009 compliance date on the policies and procedures governing compliance with the Red Flags Rule. It is also the policy of Anil K. Gupta, MD, PLC that new members of our workforce receive training on these matters within a reasonable time after they have joined the workforce. It is the policy of Anil K. Gupta, MD, PLC to provide training should any policy or procedure related to the Red Flags Rule materially change. This training will be provided within a reasonable time after the policy or procedure materially changes. Furthermore, it is the policy of Anil K. Gupta, MD, PLC that training will be documented, indicating participants, date and subject matter.

Procedures

I. Identify red flags

In the course of caring for patients, Anil K. Gupta, MD, PLC may encounter inconsistent or suspicious documents, information or activity that may signal identity theft. Anil K. Gupta, MD, PLC identifies the following as potential red flags, and this policy includes procedures describing how to detect and respond to these red flags below:

1. A complaint or question from a patient based on the patient's receipt of:
 - *A bill for another individual;
 - *A bill for a product or service that the patient denies receiving;
 - *A bill from a health care provider that the patient never patronized; or
 - *A notice of insurance benefits (or explanation of benefits) for health care services never received.
2. Records showing medical treatment that is inconsistent with a physical examination or with a medical history as reported by the patient.
3. A complaint or question from a patient about the receipt of a collection notice from a bill collector.
4. A patient or health insurer report that coverage for legitimate hospital stays is denied because insurance benefits have been depleted or a lifetime cap has been reached.
5. A complaint or question from a patient about information added to a credit report by a health care provider or health insurer.
6. A dispute of a bill by a patient who claims to be the victim of any type of identity theft.
7. A patient who has an insurance number but never produces an insurance card or other physical documentation of insurance.
8. A notice or inquiry from an insurance fraud investigator for a private health insurer or a law enforcement agency, including but not limited to a Medicare or Medicaid fraud agency.

II. Detect red flags.

Anil K. Gupta, MD, PLC practice staff will be alert for discrepancies in documents and patient information that suggest risk of identity theft or fraud. Anil K. Gupta, MD, PLC will verify patient identity, address and insurance coverage at the time of patient registration/check-in.

Procedure:

1. When a patient calls to request an appointment, the patient will be asked to bring the following at the time of the appointment:
 - *Driver's license or other photo ID;
 - *Current health insurance card; and
 - *Utility bills or other correspondence showing current residence if the photo ID does not show the patient's current address. If the patient is a minor, the patient's parent or guardian should bring the information listed above.

2. When the patient arrives for the appointment, the patient will be asked to produce the information listed above. This requirement may be waived for patients who have visited the practice within the last six months.
3. If the patient has not completed the registration form within the last six months, registration staff will verify current information on file and, if appropriate, update the information.
4. Staff should be alert for the possibility of identity theft in the following situations:
 - *The photograph on a driver's license or other photo ID submitted by the patient does not resemble the patient.
 - *The patient submits a driver's license, insurance card, or other identifying information that appears to be altered or forged.
 - *Information on one form of identification the patient submitted is inconsistent with information on another form of identification or with information already in the practice's records.
 - *An address or telephone number is discovered to be incorrect, non-existent or fictitious.
 - *The patient fails to provide identifying information or documents.
 - *The patient's signature does not match a signature in the practice's records.
 - *The Social Security number or other identifying information the patient provided is the same as identifying information in the practice's records provided by another individual, or the Social Security number is invalid.

III. Respond to Red Flags

If an employee of Anil K. Gupta, MD, PLC detects fraudulent activity or if a patient claims to be a victim of identity theft, Anil K. Gupta, MD, PLC will respond to and investigate the situation. If the fraudulent activity involves protected health information (PHI) covered under the HIPAA security standards, Anil K. Gupta, MD, PLC will also apply its existing HIPAA security policies and procedures to the response.

Procedure:

If potentially fraudulent activity (a red flag) is detected by an employee of Anil K. Gupta, MD, PLC:

1. The employee should gather all documentation and report the incident to his or her immediate supervisor [or designated compliance officer/privacy official, if applicable].
2. The supervisor, Dr. Anil K. Gupta, will determine whether the activity is fraudulent or authentic.
3. If the activity is determined to be fraudulent, then Anil K. Gupta, MD, PLC should take immediate action.

Actions may include:

- *Cancel the transaction;
- *Notify appropriate law enforcement;
- *Notify the affected patient;
- *Notify affected physician(s); and
- *Assess impact to practice.

If a patient claims to be a victim of identity theft:

1. The patient should be encouraged to file a police report for identity theft if he/she has not done so already.
2. The patient should be encouraged to complete the ID Theft Affidavit developed by the FTC, along with supporting documentation.

3. Anil K. Gupta, MD, PLC will compare the patient's documentation with personal information in the practice's records.
4. If following investigation, it appears that the patient has been a victim of identity theft, Anil K. Gupta, MD, PLC will promptly consider what further remedial act/notifications may be needed under the circumstances.
5. The physician will review the affected patient's medical record to confirm whether documentation was made in the patient's medical record that resulted in inaccurate information in the record. If inaccuracies due to identity theft exist, a notation should be made in the record to indicate identity theft.
6. The practice medical records staff will determine whether any other records and/or ancillary service providers are linked to inaccurate information. Any additional files containing information relevant to identity theft will be removed and appropriate action taken. The patient is responsible for contacting ancillary service providers.
7. If following investigation, it does not appear that the patient has been a victim of identity theft, Anil K. Gupta, MD, PLC will take whatever action it deems appropriate.