



In addition, you have certain rights to:

You may have additional rights if you are in the hospital or a skilled nursing facility, or if your home health care ends.

- Information
- Get emergency services
- See Doctors; Specialists, including women’s health specialists; and go to Medicare-certified hospitals
- Participate in treatment decisions
- Know your treatment choices
- Culturally competent services (for example, getting materials that are translated into a language you can understand)
- File complaints
- Nondiscrimination
- Privacy of personal information
- Privacy of health information

For more detailed information about your rights and protections, call 1-800-MEDICARE (1-800-633-4227) to get a free copy of *Your Medicare Rights and Protections* (CMS Pub. No. 10112). Look on page 64 for details about how to get this booklet.

New Notice of Medicare Privacy Practices

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.

By law, Medicare is required to protect the privacy of your personal medical information. Medicare is also required to give you this notice to tell you how Medicare may use and give out (“disclose”) your personal medical information held by Medicare.

Medicare **must** use and give out your personal medical information to provide information:

- To you or someone who has the legal right to act for you (your personal representative),
- To the Secretary of the Department of Health and Human Services, if necessary, to make sure your privacy is protected, and
- Where required by law.



New Notice of Medicare Privacy Practices (continued)

Medicare **has the right** to use and give out your personal medical information to pay for your health care and to operate the Medicare program. For example:

- Medicare Carriers use your personal medical information to pay or deny your claims, to collect your premiums, to share your benefit payment with your other insurer(s), or to prepare your Medicare Summary Notice.
- Medicare may use your personal medical information to make sure you and other Medicare beneficiaries get quality health care, to provide customer services to you, or to resolve any complaints you have.

Medicare **may** use or give out your personal medical information for the following purposes under limited circumstances:

- To State and other federal agencies that have the legal right to receive Medicare data (such as to make sure Medicare is making proper payments and to assist federal/State Medicaid programs),
- For public health activities (such as reporting disease outbreaks),
- For government healthcare oversight activities (such as fraud and abuse investigations),
- For judicial and administrative proceedings (such as in response to a court order),
- For law enforcement purposes (such as providing limited information to locate a missing person),
- For research studies that meet all privacy law requirements (such as research related to the prevention of disease or disability),
- To avoid a serious and imminent threat to health or safety,
- To contact you about new or changed benefits under Medicare, and
- To create a collection of information that can no longer be traced back to you.

By law, Medicare must have your written permission (an “authorization”) to use or give out your personal medical information for any purpose that is not set out in this notice. You may take back (“revoke”) your written permission at any time, except if Medicare has already acted based on your permission.



New Notice of Medicare Privacy Practices (continued)

By law, you have the right to:

- See and get a copy of your personal medical information held by Medicare.
- Have your personal medical information amended if you believe that it is wrong or if information is missing, and Medicare agrees. If Medicare disagrees, you may have a statement of your disagreement added to your personal medical information.
- Get a listing of those getting your personal medical information from Medicare. The listing will not cover your personal medical information that was given to you or your personal representative, that was given out to pay for your healthcare or for Medicare operations, or that was given out for law enforcement purposes.
- Ask Medicare to communicate with you in a different manner or at a different place (for example, by sending materials to a P.O. box instead of your home address).
- Ask Medicare to limit how your personal medical information is used and given out to pay your claims and run the Medicare program. Please note that Medicare may not be able to agree to your request.
- Get a separate paper copy of this notice.

If you believe Medicare has violated your privacy rights set out in this notice, you may file a complaint with Medicare at the following address:

Privacy Complaints
P.O. Box 8050
U. S. Department of Health and Human Services
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, Maryland 21244-1850

Filing a complaint will not affect your benefits under Medicare. You also may file a complaint with the Secretary of the Department of Health and Human Services.

For more information on filing a complaint or exercising your rights set out in this notice, look at www.medicare.gov on the web. Or, call 1-800-MEDICARE (1-800-633-4227). TTY users should call 1-877-486-2048. Ask to speak to a Customer Service Representative about Medicare's privacy notice.



New Notice of Medicare Privacy Practices (continued)

By law, Medicare is required to follow the terms in this privacy notice. Medicare has the right to change the way your personal medical information is used and given out. If Medicare makes any changes, you will get a new notice by mail within 60 days of the change.

The privacy practices listed on pages 50-52 will be effective April 14, 2003.

You Are Protected From Discrimination

Every company or agency that works with Medicare must obey the law. You cannot be treated differently because of your race, color, national origin, disability, age, or religion under certain conditions. If you think that you have not been treated fairly for any of these reasons, call the Office for Civil Rights in your state (see page 73) or call toll-free 1-800-368-1019. TTY users should call 1-800-537-7697. You can also look at www.hhs.gov/ocr on the web for more information.

Let People Know Your Wishes About The Health Care You Want Even If You Cannot Tell Them Yourself

As people live longer, the chance that they may not be able to make their own health care decisions increases. Alzheimer's and other diseases affect the ability to make health care decisions. To let people know what kind of treatment you want if you lose the ability to make your own health care decisions in the future, you need to fill out a "health care advance directive" (also called a living will). An "advance directive" is a written document in which you give directions about who you want to speak for you and what kind of health care you want or don't want if you cannot speak for yourself. For more information, call your [State Health Insurance Assistance Program](#) (see page 75).

You Can Help Protect Yourself and Medicare from Fraud

Most doctors and health care providers who work with Medicare are honest. There are a few who are not honest. Medicare is working very hard with other government agencies to protect the Medicare program.

Medicare fraud happens when Medicare is billed for services you never got. Medicare fraud takes a lot of money every year from the Medicare program. You pay for it with higher premiums. A fraud scheme can be carried out by individuals, companies, or groups of individuals.