



# Notice of Privacy Practices

*Para recibir esta notificación en español por favor llamar al número gratuito de Member Services (Servicios a Miembros) que figura en su tarjeta de identificación.*

*To receive this Notice in Spanish, please call the toll-free number on your member ID card.*

## **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.**

This Notice of Privacy Practices (Notice) describes the privacy practices of Aetna Life Insurance Company (In this Notice, we may also refer to *Aetna, we, us* or *our*). It also applies to the members of its Affiliated Covered Entity ("Aetna ACE"). This is a group of covered entities and health care providers we own or control. They designate themselves as a single entity to comply with the Health Insurance Portability and Accountability Act (HIPAA).

The members of the Aetna ACE can share Protected Health Information (PHI) with each other. We do this for the treatment, payment and health care operations of the Aetna ACE and as allowed by HIPAA and this Notice.

The Aetna ACE includes Aetna Life Insurance Company, and its health plan entity affiliates and subsidiaries. For a full list of the members of the Aetna ACE, contact the CVS Health® Privacy Office.

### **This Notice applies to insured plans**

This Notice of Privacy Practices is for Aetna insured health benefit plans. It does not apply to any plans that are self-funded by an employer. If you have coverage where you work, ask your employer if your plan is insured or self-funded. If it's self-funded, ask for a copy of your employer's Privacy Notice.

### **Effective date**

**This Notice took effect on August 11, 2021.**

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In this Notice, we describe:

- Information we collect about you
- How we use and share your information
- Times when we must share your information
- When we may share your information with those involved in your care
- When we need your okay to use or share your information
- Your rights under the law
- How we keep your information safe
- How we comply with the law
- When this Notice may change

## **Information we collect about you**

We get information about you from many sources, including from you. But we also can get it from your employer or benefits plan sponsor (if applicable), other insurers, HMOs or third-party administrators, and health care providers such as doctors.

This is called Protected Health Information (PHI). It includes personal information that may identify you that is not public information. And it includes information about your health, medical conditions and prescriptions.

It may include:

- Demographic data (like your name or address)
- Health details (like a medical history)
- Test results (like a lab test)
- Insurance information (like your member ID)
- Other information used to identify you or that's linked to your health care or health care coverage

## **How we use and share your information**

In providing your health benefits, we may use and share PHI about you in varied ways. For instance:

**Health care operations:** We may use and share your PHI for our health care operations. Those are actions we need to do to run our health business, including:

- Quality assessment and improvement
- Licensing
- Accreditation by independent organizations
- Performance measurement and outcomes assessment
- Health services research
- Preventive health, disease and case management, and care coordination

For example, we may use your PHI to offer programs for certain conditions, such as diabetes, asthma, or heart failure. We may also use it for other operations requiring use and disclosure, such as:

Administering reinsurance and stop loss

- Underwriting and rating
- Investigating fraud
- Running pharmaceutical programs and payments
- Moving policies or contracts from and to other health plans
- Facilitating a sale, transfer, merger or consolidation of all or part of Aetna with another entity (including related due diligence)
- Performing other general administrative activities (including data and information systems management and customer service)

We may use or share your protected health information (PHI):

- With the U.S. Office of Personnel Management (OPM)
- With your employing agency in for payment or health care operations
- When required by federal law

We're also required to share your PHI to OPM for its claims data warehouse. The data is used for its Federal Employees Health Benefits (FEHB) Program.

**Payment:** We may use and disclose PHI to help pay for your covered services when:

- Doing utilization and medical necessity reviews
- Coordinating care
- Deciding eligibility
- Deciding on drug list (formulary) compliance
- Getting premium payments from you
- Calculating cost-sharing amounts
- Responding to complaints, appeals and requests for external reviews

We carry out these tasks to make sure we pay for your care the right way.

We may use your health history and other PHI to decide whether a treatment is medically necessary and what the payment should be. During this process, we may share information with your health care provider.

We may also mail Explanation of Benefits forms and other information to the address we have on file for the subscriber (i.e., the primary insured). We also make claims information on our secure member website and telephonic claims status sites available to the subscriber and all covered dependents. We also use PHI to get payment for any mail-order pharmacy services you get.

**Treatment:** We may share your PHI with the health care providers who take care of you like your doctors, dentists, pharmacies and hospitals. Sometimes doctors may ask for your medical information from us to put in their own records.

We may also use your information to offer you mail-order pharmacy services. And we may also share certain information for patient safety or other reasons linked to your treatment.

**Disclosures to other covered entities:** We may share your PHI with other covered entities or their business associates. This may be for treatment, payment, or for certain health care operations.

For example, you may get your health benefits through an employer. If so, we may share your PHI with other health plans your employer offers. We do this to make sure we pay your claims the right way.

## **Additional Reasons for Disclosure**

We may use or share PHI about you in providing you with treatment alternatives, treatment reminders, or other health-related benefits and services. We also may share such information in support of:

- **Plan Administration** (Group Plans) – to your employer, as applicable, when we have been informed that appropriate language has been included in your plan documents, or when summary data is disclosed to assist in bidding or amending a group health plan.
- **Research** – to researchers, provided measures are taken to protect your privacy.
- **Business Associates** – to persons who provide services to us and assure us they will protect the information.
- **Industry Regulation** – to Government agencies that regulate us (different countries and U.S. state insurance departments).
- **Workers' Compensation** – to comply with workers' compensation laws.
- **Law Enforcement** – to Government law enforcement officials.
- **Legal Proceedings** – in response to a court order or other lawful process.
- **Public Welfare** – to address matters of public interest as required or permitted by law (e.g., child abuse and neglect, threats to public health and safety, and national security).
- **As Required by Law** – to comply with legal obligations and requirements.
- **Decedents** – to a coroner or medical examiner for the purpose of identifying a deceased person, determining a cause of death, or as authorized by law; and to funeral directors as necessary to carry out their duties.
- **Organ Procurement** – to respond to organ donation groups for the purpose of facilitating donation and transplantation.

## **Times when we must share your information**

There are times when we must share your PHI. When required, we must release it to:

- You, or someone who has the legal right to act for you. This person is your personal representative. We do this to help manage your rights, as spelled out in this Notice.
- The Department of Health and Human Services. We may do this to comply with the Health Insurance Portability and Accountability Act (HIPAA). They may collect this information to enforce HIPAA.

## **When we may share your information with those involved in your care**

We may share your PHI with people involved in your health care. We may also share with those involved in paying for your care. For example, if a family member or a caregiver calls us about a claim, we may tell them what stage it's in. You have the right to stop or limit this kind of sharing (disclosure). To do so, just call the toll-free number on your member ID card.

If you're a minor, you may have the right to block parental views of your health information in certain cases. But you can only do so if state law allows it. You can call us at the toll-free number on your ID card. Or have your provider talk to us.

## **When we need your okay to use or share your information**

If we have not described a use or disclosure above, we will need you to say it's okay in writing to use or disclose your PHI. For example, we will get your okay:

- For marketing purposes unrelated to your benefit plan(s)
- Before sharing any psychotherapy notes
- When linked to the sale of your PHI
- For other reasons as required by law

Even if you gave us your okay, you can withdraw it anytime. You just need to let us know in writing. If we haven't already acted on it, we'll stop using or sharing your information for that purpose. If you have questions about written permission, just call the toll-free number on your ID card.

## **Your rights under the law**

Under federal privacy laws, you have rights when it comes to your PHI. You have the right to:

- Ask us to communicate with you how or where you choose. For example, if you're covered as an adult dependent, you might want us to send health information, like your Explanation of Benefits, to another address than that of your subscriber. If it's a reasonable request, we will make this happen.
- Ask us to limit the way we use or share your information when it comes to health care operations, payment and treatment. We will consider, but may not agree to, such requests. You also have the right to ask us to restrict sharing with people involved in your health care.
- Ask us for a copy of PHI that's part of a "designated record set". This may include medical records. It may also include other records we keep and use for:
  - Enrollment
  - Payment
  - Claims processing
  - Medical management
  - Other decisions

We may ask you to request this in writing. And we may charge a reasonable fee for making and mailing the copies. Sometimes, we may deny the request.

- Ask us to fix your PHI. You need to ask this in writing. And you must include the reason for the request. If we deny it, you may write us, to let us know you disagree.
- Ask us to give you a list of certain disclosures we have made about you, such as PHI we've shared with government agencies that license us. (This is called an "accounting.") You need to ask this in writing. If you ask for this kind of list more than once in 12 months, we may charge a reasonable fee.
- Be notified after a breach of your PHI.
- Know the reasons for denying an insurance policy or other unfavorable underwriting decision. If you've been denied a policy in the past, we can't use that information in our decision process. We must review the facts on our own. Also, we can't use your genetic information to decide if we should issue you a policy or for other underwriting purposes.
- Insurers aren't allowed to take part in pretext interviews, except in some cases, such as suspected fraud or criminal activity. We don't take part in these.

You may make any of the above requests (if they apply), ask for a paper copy of this Notice, or ask questions about this Notice. You can do this by calling the toll-free number on your member ID card.

You also have the right to file a complaint if you think someone has violated your privacy rights. To do so, just send a letter to:

**Aetna HIPAA Member Rights Team**  
**P.O. Box 14079**  
**Lexington, KY 40512-4079**  
**Fax: 859-280-1272**

You may stop the paper mailing of your EOB and other claim information by visiting **[Aetna.com](http://Aetna.com)**. Choose “Log In/Register.” Follow the prompts to complete the one-time registration. Then you can log in anytime to view your EOBs and other claim information.

You also may write to the Secretary of the U.S. Department of Health and Human Services. There are no penalties for filing a complaint.

### **How we keep your information safe**

We use administrative, technical and physical safeguards to keep your information from unauthorized access, and other threats and hazards to its security and integrity. We comply with all state and federal laws that apply related to the security and confidentiality of your PHI.

We don't destroy your PHI even when you end your coverage with us. We may need to use and share it even after your coverage terminates. (We describe the reasons for using or sharing in this Notice). We will continue to protect your information against inappropriate use or disclosure.

### **How we comply with the law**

Federal privacy law requires us to keep your PHI private. And we must tell you about our legal duties and privacy practices. We must also follow the terms of the Notice in effect.

### **When this Notice may change**

We may change the terms of this Notice and our privacy policies anytime. If we do, the new terms and policies will be effective for all the information we now have about you. And they'll apply to any information that we may get or hold in the future.

*Aetna is the brand name used for products and services provided by one or more of the Aetna group of companies, including Aetna Life Insurance Company and its affiliates (Aetna).*