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**(Attach this Notice to your
Health Plan Document)**

**NOTICE OF AMENDMENT
of the Health Plan**

for

City of Dallas

For: Employees and Retired Employees

Your Health Plan document is amended on March 26, 2003 to include:

**City of Dallas Health Plan Document
The Use and Disclosure of Protected Health Information**

Under the federal privacy regulations enacted pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), your health plans are required to protect the confidentiality of your Protected Health Information. Protected Health Information (PHI) is individually identifiable health information related to your condition, services provided to you, or payments made for your care, which is created or received by a health plan, a health care clearinghouse, or a health care provider that electronically transmits such information. The Health Plan and the City of Dallas will not use or disclose health information protected by HIPAA, except for treatment, payment, health plan operations (collectively known as "TPO"), as permitted or required by other state and federal law, or to business associates to help administer the Plan. Further, the City of Dallas will take reasonable steps to ensure that any use or disclosure is the minimum necessary to accomplish the task.

The Plan and the City of Dallas are separate and independent legal entities, which exchange information to coordinate your Plan coverage. In order to receive PHI from the Plan, the City of Dallas agrees to, and has certified to the Health Plan, that it will:

- Not use or further disclose PHI other than as permitted or required by the Plan or as required by law;
- Ensure that any agents, including subcontractors, to whom it provides PHI received from the Health Plan agree to the same restrictions and conditions that apply to City of Dallas with respect to such information;
- Not use or disclose PHI for employment-related actions and decisions;
- Not use or disclose PHI in connection with any other benefit or employee benefit plan of the City of Dallas;
- Notify the Plan of any improper use or disclosure of PHI of which it becomes aware;
- Make PHI available to an individual based on HIPAA's access requirements;
- Make PHI available for amendment and incorporate any changes to PHI based on HIPAA's amendment requirements;

- Make available the information required to provide an accounting of disclosures of PHI;
- Make its internal practices, books and records relating to the use and disclosure of PHI received from Plan available to the Secretary of the U.S. Department of Health and Human Services to determine the Plan's compliance with HIPAA;
- Ensure adequate separation between the Plan and Plan Sponsor as required by HIPAA; and
- If feasible, return or destroy all PHI received from Plan that the City of Dallas still maintains in any form and retain no copies of such PHI when no longer needed for the specified disclosure purpose. If return or destruction is not feasible, The City of Dallas will limit further uses and disclosures to those purposes that make the return or destruction infeasible.

Only the following classes of employees under the control of the City of Dallas may have access to PHI: Benefits Manager, Senior Benefit Specialists, Assistant Directors and Director of Human Resources Department. Such employees may only have access to, and use and disclose, PHI for purposes of the plan administrative functions described in this Plan document the City of Dallas performs for the group health plan.

If you believe your rights under HIPAA have been violated, you have the right to file a complaint with the Plan or with the Secretary of the U.S. Department of Health and Human Services. The City of Dallas has provided a mechanism for resolving issues of noncompliance by employees described above who have access to PHI.

All other terms, provisions and conditions shown in your 2003 Health Plan will continue to apply.