



» [Back to Mobile Provider Finder](#)

HIPAA Privacy Notice

- [State Notice of Privacy Practices](#)
- [Web Privacy Policy](#)

Effective Date: July 1, 2007

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.

We keep the health and financial information of our current and former members private as required by law, accreditation standards, and our rules. This notice explains your rights. It also explains our legal duties and privacy practices. We are required by federal law to give you this notice.

Your Protected Health Information

We may collect, use, and share your Protected Health Information (PHI) for the following reasons and others as allowed or required by law, including the HIPAA Privacy rule:

For Payment: We use and share PHI to manage your account or benefits; or to pay claims for health care you get through your plan. For example, we keep information about your premium and deductible payments. We may give information to a doctor's office to confirm your benefits.

For Health Care Operations: We use and share PHI for our health care operations. For example, we may use PHI to review the quality of care and services you get. We may also use PHI to provide you with case management or care coordination services for conditions like asthma, diabetes, or traumatic injury.

For Treatment Activities: We do not provide treatment. This is the role of a health care provider such as your doctor or a hospital. But, we may share PHI with your health care provider so that the provider may treat you.

To You: We must give you access to your own PHI. We may also contact you to let you know about treatment options or other health-related benefits and

services. When you or your dependents reach a certain age, we may tell you about other products or programs for which you may be eligible. This may include individual coverage. We may also send you reminders about routine medical checkups and tests.

To Others: You may tell us in writing that it is OK for us to give your PHI to someone else for any reason. Also, if you are present, and tell us it is OK, we may give your PHI to a family member, friend or other person. We would do this if it has to do with your current treatment or payment for your treatment. If you are not present, if it is an emergency, or you are not able to tell us it is OK, we may give your PHI to a family member, friend or other person if sharing your PHI is in your best interest.

As Allowed or Required by Law: We may also share your PHI, as allowed by federal law, for many types of activities. PHI can be shared for health oversight activities. It can also be shared for judicial or administrative proceedings, with public health authorities, for law enforcement reasons, and to coroners, funeral directors or medical examiners (about decedents). PHI can also be shared for certain reasons with organ donation groups, for research, and to avoid a serious threat to health or safety. It can be shared for special government functions, for workers' compensation, to respond to requests from the U.S. Department of Health and Human Services and to alert proper authorities if we reasonably believe that you may be a victim of abuse, neglect, domestic violence or other crimes. PHI can also be shared as required by law. If you are enrolled with us through an employer sponsored group health plan, we may share PHI with your group health plan. We and/or your group health plan may share PHI with the sponsor of the plan. Plan sponsors that receive PHI are required by law to have controls in place to keep it from being used for reasons that are not proper.

Authorization: We will get an OK from you in writing before we use or share your PHI for any other purpose not stated in this notice. You may take away this OK at any time, in writing. We will then stop using your PHI for that purpose. But, if we have already used or shared your PHI based on your OK, we cannot undo any actions we took before you told us to stop.

Your Rights

Under federal law, you have the right to:

- Send us a written request to see or get a copy of certain PHI or ask that we correct your PHI that you believe is missing or incorrect. If someone

else (such as your doctor) gave us the PHI, we will let you know so you can ask them to correct it.

- Send us a written request to ask us not to use your PHI for treatment, payment or health care operations activities. We are not required to agree to these requests.
- Give us a verbal or written request to ask us to send your PHI using other means that are reasonable. Also let us know if you want us to send your PHI to an address other than your home if sending it to your home could place you in danger.
- Send us a written request to ask us for a list of certain disclosures of your PHI.

Call Customer Service at the phone number printed on your identification (ID) card to use any of these rights. They can give you the address to send the request. They can also give you any forms we have that may help you with this process.

How we protect information

We are dedicated to protecting your PHI. We set up a number of policies and practices to help make sure your PHI is kept secure. We keep your oral, written, and electronic PHI safe using physical, electronic, and procedural means. These safeguards follow federal and state laws. Some of the ways we keep your PHI safe include offices that are kept secure, computers that need passwords, and locked storage areas and filing cabinets. We require our employees to protect PHI through written policies and procedures. The policies limit access to PHI to only those employees who need the data to do their job. Employees are also required to wear ID badges to help keep people who do not belong, out of areas where sensitive data is kept. Also, where required by law, our affiliates and non-affiliates must protect the privacy of data we share in the normal course of business. They are not allowed to give PHI to others without your written OK, except as allowed by law.

Potential Impact of Other Applicable Laws

HIPAA (the federal privacy law) generally does not preempt, or override other laws that give people greater privacy protections. As a result, if any state or federal privacy law requires us to provide you with more privacy protections, then we must also follow that law in addition to HIPAA.

Complaints

If you think we have not protected your privacy, you can file a complaint with us. You may also file a complaint with the Office for Civil Rights in the U.S. Department of Health and Human Services. We will not take action against you

for filing a complaint.

Contact Information

Please call Customer Service at the phone number printed on your ID card. They can help you apply your rights, file a complaint, or talk with you about privacy issues.

Copies and Changes

You have the right to get a new copy of this notice at any time. Even if you have agreed to get this notice by electronic means, you still have the right to a paper copy. We reserve the right to change this notice. A revised notice will apply to PHI we already have about you as well as any PHI we may get in the future. We are required by law to follow the privacy notice that is in effect at this time. We may tell you about any changes to our notice in a number of ways. We may tell you about the changes in a member newsletter or post them on our website. We may also mail you a letter that tells you about any changes.

[Return to Top](#)

[Back to Mobile Provider Finder](#)

[Help](#) [Privacy](#) [Terms of Use](#)

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» [Back to Mobile Provider Finder](#)

Web Privacy Policy

- [HIPAA Privacy Notice](#)
- [State Notice of Privacy Practices](#)

Empire BlueCross BlueShield (Empire) is committed to protecting your privacy online.

This Website Privacy Policy describes Empire's privacy practices regarding information collected from users of this website. Empire does not use or share your personally identifiable information except as described in this Website Privacy Policy. This Website Privacy Policy applies to Empire's public website and to each of our secure sites that provide online services for Members, Providers, Brokers, Facilities, and Employers. We urge you to read this Website Privacy Policy carefully.

What is Personally Identifiable Information?

Personally identifiable information is any data element or collection of data elements that directly identifies you, such as your name, date of birth, health plan identification number, or e-mail and postal addresses.

What kind of information does Empire collect?

You can visit us on our public website without sharing information about yourself. We do not collect your personally identifiable information unless you voluntarily provide the information by requesting information about our products and services or by registering to use online services.

By registering for one of our online services, such as Member, Employer, Broker, Provider or Facility Online Services, eligible users will be able to access the secure site to facilitate the management of an Empire health plan. For example, Member Online Services permits current members to check eligibility, check claims status, request plan documents and contact our customer services center, and much more. During registration, a member must provide personally identifiable information, including name, member identification number, date of birth and email address. This information allows us to verify and authenticate the member and establish a secure online services account.

Once you register for one of our online services sites, you may be asked for additional personally identifiable information to allow you to gain access to additional online applications, health tools, health information, health messaging or other services.

We may collect non-personally identifiable information which is used to improve our website and better serve our online visitors. Non-personally identifiable information is data that, by itself, cannot be associated with a specific individual. Empire may use software tools such as "cookies" or website activity software to gather non-personally identifiable information about site visitors. For example, we may use cookies to maintain continuity during a user session so you don't have to re-enter information. A cookie is a text file that is sent to your hard drive where your browser files are kept. We may use website activity software to determine website activity on our website, such as how many people visit the site and how long they stay.

You may set your browser to reject cookies, but if you do so you may have limited capabilities within some of our online applications/services. Certain brokers must set their browser files to accept cookies in order to use the navigation features available through Broker Online Services.

How will information collected about me be used?

When you register for an Empire online services website, the information you share with us is used in a variety of ways that let us serve you better, such as to update your account records or to provide documents you request. We may also use this information to perform administrative, technical, or other functions that help us manage our website and deliver services to you.

We may share your information with our business partners as part of our normal business operations, for purposes of health care operations and payment activities. We may also use your information to send you communications regarding our products and services.

Does Empire share my information with third party websites?

Empire has joined with business partners to provide you with website-based content and services that we think will be of benefit to you. These websites, hosted and operated by our business partners, are accessible through an Empire secure online services website

Empire may also provide you with access to websites controlled by **business partners who administer certain plan benefits for us**, to allow you to

manage these benefits online. When you access one of these secure websites from our secure Member Online Services website, certain of your personally identifiable information, such as your Empire member identification number, is automatically passed to our business partner to allow the third party website to recognize you. This information will be used to verify your identity and allow you to access and manage the benefit plan online.

Empire may also provide you with access to websites controlled by **business partners who provide additional online applications**, such as health tools and health messaging or health information or other services. If you choose to access one of these websites, Empire will pass certain of your personally identifiable information to the website to facilitate your registration or to customize your experience at that website. Except as described below, prior to your accessing the website, we will tell you what personally identifiable information will be passed to the website. If you choose to access "My Health", powered by our business partner, WebMD, Empire will share limited personal information (name, gender, date of birth and zip code) about you with WebMD. This information will be used to preregister you and customize some content on the WebMD site. You always have the choice not to continue to our business partner's website.

Each of these third party websites has its own privacy policy; we encourage you to read the privacy policy that is posted on that site.

What about links to other Websites?

To provide additional services and information which we think might be of interest to you, our website contains links to other sites not controlled by Empire. A link to a non-Empire website does not constitute endorsement by Empire. In addition, Empire does not assume responsibility for the privacy practices or the content of those sites. Once you link to another website from this website, you are subject to the terms and conditions of that website. We encourage you to review the privacy practices of any website you visit.

How does Empire protect children's privacy?

This website is intended to be used only by adults. Children under the age of 18 are not permitted to register for online services

How does Empire make sure my information is secure?

Empire follows strict privacy policies and practices to protect the privacy of the information we collect at our website. Empire limits employee access to this information to only those employees who need it to provide the products or services you need. In addition, Empire utilizes a variety of security

technologies, including encryption, authentication and monitoring to safeguard the integrity of the information and prevent unauthorized access.

We use Secure Sockets Layer (SSL) technology to protect the security of your online information within each of our Online Service sites. This technology encrypts information transmission when you are logged on to your Online Services account.

When you are within an Empire Online Services site, communications and transactions occur under the protection of secure encryption including "message center," "technical support," and "contact us" communications. E-mails, Portable Document Format (PDF) files, our Product and Service Inquiry Forms and customized Provider Directories are not transmitted through a secure Internet connection

How is my email address used and may I remove my name from your e-mail list?

As part of the Member Online Services registration process, users must provide their e-mail address. Members may choose to complete registration and obtain their activation key by e-mail, and they may choose to receive e-mail alerts that there is a message in their secure Member Online Service message center. Members who do not want to receive e-mails about our benefit plans and services may opt-out of e-mail transmissions by clicking the "unsubscribe" link within any e-mail we send. Other Online Services users (e.g., providers, employers) may be required to provide their email address so that Empire may send communications to the user about their online services account and/or other business-related communications

Does this Website Privacy Policy apply to my health information at Empire?

This Website Privacy Policy only applies to information collected, used and/or disclosed through Empire's website. For information about how Empire maintains the privacy of member medical information, please read our HIPAA Notice of Privacy Practices.

Changes to our Website Privacy Policy

The foregoing Web Privacy Policy is effective as of July 1, 2004. Empire may change this Website Privacy Policy from time to time without notice. Empire will notify visitors to its website of any material changes to this Website Privacy Policy by prominently displaying a "Website Policy Change Alert" for a period of at least 30 days on its homepage. This policy is not intended to and does not create any contractual or other legal right in or on behalf of any party

[Return to Top](#)

[Back to Mobile Provider Finder](#)

[Help](#) [Privacy](#) [Terms of Use](#)

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