

# IRONWORKERS DISTRICT COUNCIL OF NEW ENGLAND WELFARE, PENSION AND ANNUITY FUNDS

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June 2024

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.

On April 14, 2003, certain regulations for the **Health Insurance Portability and Accountability Act** (“HIPAA”) will become effective. This Federal law will now include privacy provisions for **Protected Health Information** (“PHI”). The Ironworkers District Council of New England Welfare, Pension & Annuity Funds (“the Funds”) send you this notice which applies to you, and independently, to all those who receive benefits from the Funds through your eligibility as the participant.

The Funds are providing you with this notice as to the Funds’ legal duties on privacy with respect to your PHI. This notice became effective on April 14, 2003. This notice also applies to the operations of Iron Clad Insurance (“Iron Clad”), the Welfare Fund’s separate in-house claims administrator.

HIPAA will now require that the Funds and Iron Clad each ensure the privacy of your PHI that they may maintain in their records. In addition, the Funds and Iron Clad each must also provide for the security and integrity of your PHI and to safeguard your PHI from disclosures that violate HIPAA. When disclosure of your PHI is permitted by HIPAA, the Funds must do so in a minimum necessary manner to accomplish the intended purpose for their perspective operations and functions.

The Fund Office makes use of certain PHI for the following purposes: (a) processing applications for disability and partial disability pension, (b) processing requests by the member/annuitant for annuity loans/withdrawals for the payment of medical bills, (c) processing applications by the member for Accident & Sickness benefits, (d) when PHI is submitted in support of a request for an extension of medical coverage eligibility and, (e.) compiling information for appeals on medical claim denials, but only if said appeals are filed with the Fund Office.

The Fund Office may, without your authorization, communicate and receive your PHI with providers (hospitals, doctors, etc.) when performing those functions as listed immediately above. In addition, the Fund Office may also communicate with outside professionals who provide services related to those functions. For example, the Fund Office may disclose your PHI to its attorneys, accountants, and to the Fund Consultant. In all cases, they are “business associates” as defined by HIPAA. These business associates each have or will be signing a contract ensuring that the privacy,

security, and integrity of all PHI it may receive from the Funds. The Fund Office will only disclose to the business associates that information which is the minimum necessary to accomplish the intended purpose for the use and disclosure of this information.

Please note, even without receiving a specific restriction, that the Fund Office, and Iron Clad, cannot discuss with, disclose, or send a person's PHI to that person's spouse or to any other individual. If you want to allow your spouse, a Business Agent or other individual to discuss your PHI with the Fund Office or with Iron Clad, you must send a signed, written release of that information to such individual. Note also that we cannot leave details concerning the processing of benefits which relate to your PHI on voicemail and answering machines without your written authorization. This applies, also, to details on the processing and payment of claims by Iron Clad.

Iron Clad makes use of PHI for the processing and payment of medical, dental and vision claims (i.e. bills). Iron Clad may also use PHI in pursuing reimbursement for paid claims when the claims may relate to worker's compensation or auto (and other) accident situations.

Iron Clad may, without your authorization, communicate and receive your PHI with providers (hospitals, doctors, etc.) when processing and paying claims. Iron Clad may also communicate your PHI with insurance companies who may be providing you medical benefits through other insurance coverage. In addition, Iron Clad may also communicate with outside professionals who provide services related to the payment of claims. For example, Iron Clad may disclose your PHI to ULLICO, Modern Assistance Programs Inc., Davis Vision, Point 32 Health, CIGNA Dental, Standard Insurance Co., True Hearing, as well as, Fund attorneys, the Fund accountant, and the Fund consultant. In all cases, they are "business associates" as defined by HIPAA. These business associates each have or will be signing a contract ensuring that the privacy, security, and integrity of all PHI it may receive from Iron Clad. Iron Clad will only disclose to the business associates that information which is the minimum necessary to accomplish the intended purpose for the use and disclosure of information.

You have the right to request an amendment to your PHI in records held by the Fund Office or by Iron Clad. We may deny your request if it is determined that:

- (a) We did not create the records or the documents.
- (b) It is not part of your designated records.
- (c) The record would not be available for inspection under 45 C.F.R. (Code of Federal Regulations), Section 164.524, that the record is accurate and complete.

To request an amendment to your PHI, you must make a request in writing to:

For Fund Office records –

William Hurley, Fund Administrator  
Iron Workers Fund Office  
161 Granite Ave  
Dorchester, MA 02124  
617-265-3757

For Iron Clad records –

Anne Fini, Claims Manager  
Iron Clad Insurance  
161 Granite Ave  
Dorchester, MA 02124  
617-436-3500

If you believe your privacy rights under HIPAA have been violated, you may file a written complaint. You must describe detailed facts (including dates) concerning any alleged violation and must identify the specific PHI.

Concerning Fund Office records –

William Hurley, Fund Administrator  
Iron Workers Fund Office  
161 Granite Ave  
Dorchester, MA 02124  
617-265-3757

Concerning Iron Clad records -

Anne Fini, Claims Manager  
Iron Clad Insurance  
161 Granite Ave  
Dorchester, MA 02124  
617-265-3757

Note that neither the Fund Office nor Iron Clad will retaliate against you for filing a complaint for a violation of privacy rights. You may also file a complaint concerning your privacy rights, with the office of the Secretary of Health and Human Services.

If you request further information regarding your HIPAA privacy rights, you may contact the persons as set forth above.

You may request restrictions on the uses and disclosures of your PHI. To do so, such a request must be in writing with the particulars of your request and identifying the specific PHI for the request. As applicable, the Fund Office or Iron Clad must inform you of its decision on your request. However, they are not required to agree to the restrictions that you may request.

You may request, in writing, to receive communications of your PHI by alternative means or at alternative locations. Subject to the exceptions in 45 C.F.R., Section 164.524(a), you may request, in writing, access to the PHI from the Fund Office and from Iron Clad. Unless your request is denied pursuant to Section 164.526(d), the Fund Office or Iron Clad will provide you with a copy of your PHI upon the payment of the cost of copying and postage. As applicable, the Fund Office or Iron Clad must inform you of any denial of your request.

Upon written request, you have the right to receive an accounting of disclosures of your PHI made by the Fund Office or by Iron Clad. They are not, however, required to account for those disclosures of your PHI that are exceptions as set forth in 45 C.F.R. Section 164.528(a)(1).

The Funds are required to follow the terms of this notice, and any other notices it may provide you with in the future, for the use, disclosure, and procedures, concerning your PHI.

The Funds reserves the right to change, in the future, its privacy practices for PHI pursuant to 45 C.F.R., Section 164.530(i)(2)(ii). If the Funds do change its privacy practices for PHI, it will notify you in writing by mail.