

NOTICE OF PRIVACY PRACTICES
OF YORK ELECTRIC COOPERATIVE, INC.

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.

I. Section 125 Plan

This Notice describes the privacy practices of York Electric Cooperative, Inc. (YEC). YEC makes a Section 125 Plan available as a benefit to their eligible employees.

II. York Electric Cooperative, Inc.'s Privacy Obligations

YEC is required by federal law and applicable state law to protect the privacy of individually identifiable health information about you that it creates or receives (“your Protected Health Information”) and to provide you with this Notice of its legal duties and privacy practices. When YEC uses or discloses your Protected Health Information, it is required to abide by the terms of this Notice (or other Notice in effect at the time of the use or disclosure).

III. Uses and Disclosures With Your Written Authorization

YEC may use or disclose your Protected Health Information to others for any purpose other than the purposes described in Section IV below, only when you give YEC your authorization on its Authorization Form. You may revoke your Authorization, except to the extent YEC has taken action in reliance on it, by delivering a written Revocation Notice to the Privacy Officer(s) of YEC identified below. You may obtain a copy of both the Authorization Form and the Revocation Notice from your benefits administrator.

IV. Uses and Disclosures without your written Authorization

YEC may use and disclose your Protected Health Information to others without your written authorization for the following purposes:

- A. To comply with the Law. YEC may use and disclose your Protected Health Information to the extent required to comply with applicable law.
- B. Judicial and Administrative Proceedings. YEC may disclose your Protected Health information in the course of a judicial or administrative proceeding in response to a legal order or other lawful process.
- C. Law Enforcement Officials. YEC may disclose your Protected Health Information to the police or other law enforcement officials as required by law or in compliance with a court order or other lawful process.
- D. Health or Safety. YEC may disclose your Protected Health Information to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public.
- E. Specialized Government Functions. YEC may disclose your Protected Health Information to units of the government with special functions, such as the U.S. military or the U.S. Department of State.
- F. Workers Compensation. YEC may disclose your Protected Health Information as necessary to comply with workers’ compensation laws.

V. Your Individual Rights

- A. Right to Request Additional Restrictions. You may request restrictions on YEC’s use and disclosure of your Protected Health Information for payment and health care operations in addition to those explained in this Notice. While YEC will consider all requests for additional restrictions carefully, it is not required to agree to a requested restriction. If you wish to request additional restrictions, please obtain a Right of Individual to Request Restrictions on Uses and Disclosures Form from your Benefits Administrator and submit the completed form to the Privacy Officer(s). You will be given a written response.
- B. Right to Receive Confidential Communications. YEC will accommodate any reasonable request for

you to receive your Protected Health Information by alternative means of communication or at alternative locations if the request clearly states that disclosure of that information could endanger you. Please obtain a Request for Confidential Communication of Health Information Form from your benefits administrator.

- C. Right to Inspect and Copy your Protected Health Information. You may request access to YEC's records that contain your Protected Health Information in order to inspect and request copies of the records. Under limited circumstances, YEC may deny you access to a portion of your records. If you desire access to your records, please obtain an Access Request Form from your benefits administrator and submit the completed form to the Privacy Officer(s).
- D. Right to Receive an Accounting of Disclosures. You may obtain an accounting of certain disclosures of your Protected Health Information made by YEC on or after April 14, 2004, excluding disclosures made earlier than six years before the date of your request. You may obtain an Accounting Request Form from your benefits administrator. The accounting will not include disclosures of your Protected Health Information made in accordance with federal law; to carry out treatment, payment or health care operations activities; to you; pursuant to your written authorization; for national security or intelligence purposes; or to correctional institutions or law enforcement officials.
- E. Personal Representatives. You may exercise your rights through a personal representative who will be required by YEC to produce evidence of his or her authority to act on your behalf. Proof of authority may be made by a notarized power of attorney, a court order of appointment of the person as your legal guardian or conservator, or if you are the parent of a minor child. YEC reserves the right to deny access to your personal representative.
- F. For Further Information: Complaints. If you desire further information about your privacy rights, are concerned that YEC has violated your privacy rights or disagree with a decision that YEC has made about access to your Protected Health Information, you may contact YEC's Privacy Officer(s) or the CEO by mail, electronically, or in person. You may also file a written complaint with the Secretary of the U.S. Department of Health and Human Services. Upon request, the Privacy Officer(s) will provide you with the correct address for the Secretary. YEC will not retaliate against you if you file a complaint with it or the Secretary.

VI. Effective Date and Duration of this Notice

- A. Effective Date. This Notice is effective April 14, 2004
- B. Right to Change Terms of this Notice. YEC may change the terms of this Notice at any time. If YEC changes this Notice, it may make the new Notice terms effective for all of your Protected Health Information that it maintains, including any information created or received prior to issuing the new Notice. If YEC changes this Notice, it will send the new Notice to you if you are employed by YEC as of the date of the change. You may also obtain any new Notice by contacting the Privacy Officer(s) or your benefits administrator.
- C. Limitation on Applicability of Notice. This Notice does not apply to information that does not identify an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual. In addition, YEC may use or disclose "summary health information" to NRECA and other entities for its purposes of obtaining premium bids or modifying, amending or terminating coverage. Summary health information is information that summarizes claims history, claims expenses or types of claims experienced by individuals for whom YEC provides benefits and from which the individual identifying information has been deleted. YEC may also use or disclose eligibility and enrollment information without your authorization.

VII. Privacy Officers

You may contact one of the Privacy Officers as well as submit the forms described above in this Notice to:

Patty S. Moss
Human Resources Assistant
York Electric Cooperative, Inc.
P. O. Box 150
York, SC 29745
Telephone: (803) 684-4247 Ext.591
Facsimile: (803) 628-0232
Email: patty.moss@yorkelectric.net

Wanda G. Christenberry
Director of Administrative and Consumer Services
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