

ABFM Privacy Policy

In the course of the Family Medicine Certification processes, the American Board of Family Medicine, Inc. ("ABFM") has and must continue to collect and utilize email addresses as well as personal, professional, and in some cases, financial information from and regarding Diplomates, examination candidates and physicians participating in Certification activities. ABFM has issued the following Privacy Policy to govern ABFM's collection, use, and disclosure of such information, and to explain to you ABFM's policies and practices regarding the privacy of information. Our goal in establishing the Privacy Policy is to assure each person disclosing information of the sensitivity of the information and the care to be utilized by ABFM in protecting the confidential nature of the information and material.

In the course of pursuing and fulfilling its mission and purposes, ABFM will receive, use and disclose information and data in connection with its involvement in other initiatives and activities, such as the PRIME Registry and the Transforming Clinical Practice Initiative (TCPI) Support and Alignment Network (SAN) grant. This information and data may include physician information, patient information and data, measures data, and data licensed from the Centers for Medicare and Medicaid Services (CMS) or other entities. Participation in these activities is voluntary on the part of the physician or the physician's practice. ABFM's receipt, use and disclosure of information and data in connection with these initiatives and activities will be governed by other agreements, including as necessary a HIPAA business associate agreement, and policies which will supplement the terms of this Privacy Policy.

Voluntary Release of Information

There may be limited instances where a person may desire to authorize ABFM to disclose information to a third party which is otherwise protected by this Privacy Policy. ABFM has prepared a General Release and Waiver that may be used in the event a physician desires to authorize ABFM to release information regarding the physician for any purpose. A physician must sign the General Release and Waiver and return the signed document to the ABFM offices in order to authorize the release of any otherwise protected information. A copy of the General Release and Waiver may be obtained by contacting the President of ABFM, 1648 McGrathiana Parkway, Suite 550, Lexington, KY 40511.

Candidate and Diplomate Information

In order to identify and determine the qualification of physicians to be candidates to sit for examinations or to participate in Certification activities, ABFM requires that applicants provide personal contact and identifying information, as well as personal, educational, National Provider Identification (NPI) number, and professional background information. This information is utilized by ABFM to identify an applicant, determine an applicant's eligibility and qualification to become a candidate for Certification, and to communicate with the applicant. Similar information will be required to assist participants in Certification activities. ABFM may also receive and utilize publicly available information and data regarding a physician from external sources, such as state medical boards and the Centers for Medicare and Medicaid Services (CMS).

Notwithstanding any other term or provision of this Privacy Policy, ABFM considers the status of an individual's participation in and the stage of completion of all Certification components, including an individual's Certification status and Certification history, to be public information. ABFM reserves the right to publish and share public information in any and all public forums determined by ABFM to be reasonable, including the posting of public information on the ABFM website, sharing the public information with medical licensure boards, managed care organizations, third party payers, the American Board of Medical Specialties ("ABMS") or others. While ABFM generally regards all other information about individuals as private and confidential, there are times that ABFM must release certain information in order to fulfill its responsibilities as a medical specialty board and as a Member Board of the ABMS.

There may be other times that ABFM may release information as determined by ABFM to be reasonable and in the interest of ABFM to fulfill its mission and purposes.

ABFM specifically regards the score or participation results of an individual's Certification activities as private and confidential. The ABFM may, however, make available the aggregate examination results of a group of examinees from the same training program or review course. Any disclosure will only be made reflecting the aggregate percentage of examination results and the disclosure will not identify the examinees or their individual results.

While ABFM will not use individual examination results or confidential financial information for for-profit purposes, ABFM specifically reserves the right to share information with the American Academy of Family Physicians ("AAFP"), other CME providers and ABFM approved external providers on identifying or other information and aggregate examination results for purposes of updating ABFM files and records, completing, crediting or maintaining continuing medical education, and for the

completion of components of Certification activities, or for other purposes intended to assist ABFM in carrying out its purposes as a medical specialty board.

ABFM reserves the right to make personal and identifying information (including email addresses) available for use in connection with the Journal of the American Board of Family Medicine, a periodic research journal sponsored by ABFM as its official journal publication. ABFM also reserves the right to make personal and identifying information (including email addresses) available for use by and in connection with the Pisacano Leadership Foundation, Inc., and the ABFM Foundation, Inc., both not-for-profit corporations which are supporting organizations of ABFM, as well as the PRIME Registry and the SAN grant.

Except as outlined herein, ABFM will not provide such information to third parties, except in response to the order of a court or other administrative agency or tribunal of competent jurisdiction. ABFM will notify the physician affected prior to complying with any such order.

ABFM will use performance on examinations and other available information for research purposes.

ABFM reserves the right to disclose information in its possession regarding any individual whom it determines, in its sole and absolute discretion, has violated ABFM rules or procedures, engaged in misrepresentation or unprofessional behavior, or demonstrates signs of impairment.

Personal and Financial Information

In connection with registration of examination candidates and the administration of examinations, as well as other Certification activities, ABFM will collect personal information such as names, street or post office box addresses, email addresses, etc., and in some cases financial information (such as credit card information). ABFM will restrict access to financial information collected by ABFM to ABFM employees and contractors who need to know this information in order to conduct the business and affairs of ABFM.

HIPAA Privacy Rule

The Department of Health and Human Services has implemented regulations regarding privacy and security protections for certain health information under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"). As part of the Certification process, ABFM may require you to submit patient information of a type and nature which could be subject to HIPAA.

However, ABFM requires that any such patient health information be "de-identified" in accordance with the HIPAA regulations, such that all identifying information and markers which could be used to reasonably identify the patient in question are removed. ABFM does not intend to accept any patient information which has not been de-identified in accordance with the HIPAA privacy regulations. It is the applicant's responsibility to de-identify the patient health information before submission to ABFM. While ABFM will assist in the de-identification process, ABFM cannot and will not be responsible for the applicant's violation of privacy requirements under HIPAA. If you have questions regarding de-identification or would like more information regarding de-identification requirements, please contact ABFM.

While ABFM is committed to the privacy of patient information, ABFM has received a legal opinion that it is not a "covered entity" under the HIPAA privacy regulations and thus not subject to those obligations. Further, ABFM is not a "business associate" of those physicians (or "covered entities") who submit de-identified patient information to ABFM. ABFM has received an opinion of counsel to this effect, a copy of which may be obtained by contacting the President of ABFM, 1648 McGrathiana Parkway, Suite 550, Lexington, KY 40511. In any instances where ABFM receives, uses and/or discloses any individually identifiable protected health information (PHI) which is subject to HIPAA protection, ABFM will do so only pursuant to a HIPAA business associate agreement and in compliance with applicable HIPAA requirements for the privacy and security of PHI.