

Your Personal Representatives

You may exercise your rights to your Protected Health Information (PHI) and Protected Identifiable Information (PII) by designating a person to act as your Personal Representative. Your Personal Representative will generally be required to produce evidence (proof) of the authority to act on your behalf **before** the Personal Representative will be given access to your PHI/PII, or be allowed to take any action for you.

Under this Plan, proof of such authority will include (1) a completed, signed and approved Appoint a Personal Representative form; (2) a notarized power of attorney for health care purposes; or (3) a court-appointed conservator or guardian. Note: Under the HIPAA privacy rule, we do not have to disclose information to a personal representative if we have a reasonable belief that:

- (1) You have been, or may be, subjected to domestic violence, abuse or neglect by such person;
- (2) Treating such person as your personal representative could endanger you; or
- (3) In the exercise of professional judgment, we believe it is not in your best interest to treat the person as your personal representative.

Because HIPAA regulations give adults certain rights and generally children age 18 and older are adults, if you have dependent children age 18 and older covered under the Plan, and the child wants you, as the parent(s), to be able to access their Protected Health Information (PHI) and/or Protected Identifiable Information (PII), that child will need to complete a form to Appoint a Personal Representative to designate you (the employee/retiree) and/or your Spouse as their Personal Representatives.

The Plan will consider a parent, guardian, or other person acting *in loco parentis* as the Personal Representative of an unemancipated minor (a child generally under age 18) unless the applicable law requires otherwise. *In loco parentis* may be further defined by State law, but in general it refers to a person who has been treated as a parent by the child and who has formed a meaningful parental relationship with the child for a substantial period of time. Spouses and unemancipated minors may, however, request that the Plan restrict PHI/PII that goes to family members as described under the section titled "Statement of Your Individual Privacy Rights" in the [Notice of Privacy Practices](#).