



**FIRST PENN-PACIFIC LIFE INSURANCE COMPANY
NOTICE OF PRIVACY PRACTICES FOR PERSONAL HEALTH INFORMATION
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.

You have received this notice because you have applied for or have life insurance coverage with First Penn-Pacific Life Insurance Company ("First Penn") that contains a long-term care/convalescent care benefit rider ("LTC Coverage"). This Notice refers to First Penn by using the terms "us," "we," or "our." We are committed to protecting the confidentiality and security of information we collect about you, especially health information. We value our relationship with you so the proper handling of medical information is one of our highest priorities.

We collect, use and disclose information about you to evaluate and process any requests for coverage and claims for benefits you may make regarding your LTC Coverage. This notice describes how we protect the personal health information we have about you which relates to your LTC Coverage ("Personal Health Information"), and how we may use and disclose this information. Personal Health Information includes individually identifiable information, which relates to your past, present or future health, treatment or payment for health care services. This notice also describes your rights with respect to the Personal Health Information and how you can exercise those rights.

We are required to provide you with this Notice in accordance with federal health privacy regulations that were issued as a result of the Health Insurance Portability and Accountability Act ("HIPAA"). We are required by law to maintain the privacy of your Personal Health Information; to provide you this notice of our legal duties and privacy practices with respect to your Personal Health Information; and to follow the terms of this Notice.

We reserve the right to change the terms of this Notice. Any such changes will apply to all Personal Health Information that we already have about you as well as any Personal Health Information that we may receive in the future. If we make a material change to the terms of the Notice, we will promptly send the revised Notice to you should you still maintain coverage with us when the revised Notice becomes effective.

USES AND DISCLOSURES OF YOUR PERSONAL HEALTH INFORMATION

The following describes when we may use and disclose your Personal Health Information with your written authorization and without your authorization:

Use and Disclosure with Your Authorization: Except as described below, we will not use or disclose your Personal Health Information for any reason unless we have a signed authorization from you or your legal representative to use or disclose your Personal Health Information. You or your legal representative have the right to revoke an authorization in writing, except to the extent that we have taken action relying on the

authorization or if the authorization was obtained as a condition of obtaining your LTC Coverage.

Use and Disclosure for Treatment. We may use and disclose your personal health information as necessary for your treatment. For instance, a doctor or health facility involved in your care may request personal health information that we hold about you in order to make decisions about your care.

Use and Disclosure for Payment of Claims: We may use and disclose your Personal Health Information to pay for benefits under your LTC Coverage. For example, when you present a claim for LTC benefits, we may obtain medical records from the doctor or health facility involved in your care to determine if you are eligible for benefits under the insurance policy and to reimburse you for services provided. Other payment-related uses and disclosures that are permitted and that we may engage in include: making claim decisions, coordinating benefits with other insurers or payers, billing, claims management, collection activities, obtaining payment under a contract for reinsurance, and related health care data processing.

Use and Disclosure for Health Care Operations: We may use and disclose your Personal Health Information for our insurance operations. Our insurance operations may include underwriting, premium rating, and other activities related to the issuance, renewal or replacement of LTC Coverage, or for reinsurance purposes. For example, when you apply for insurance we may collect medical information from your doctor (health care provider) or a medical facility that provided you health care services to determine if you qualify for insurance. We may also use and disclose Personal Health Information to conduct or arrange for medical review, legal services, contract for reinsurance, business planning and development regarding the management and operation of our LTC Coverage processes, or auditing, including fraud and abuse detection and compliance programs. Personal Health Information may also be disclosed for customer service, servicing our current and future customer relationship as permitted by law, resolution of internal grievances and as part of a potential sale, transfer, merger, or consolidation in order to make an informed business decision regarding any such prospective transaction.

Use and Disclosure with Business Associates: We may also disclose Personal Health Information to non-affiliated business associates, but only if the receipt of Personal Health Information is necessary to provide a service to us and the business associate agrees to protect the Personal Health Information according to HIPAA rules. Examples of business associates are: billing companies, data processing companies, auditors, claims processing companies and companies that provide general administrative services.

Uses and Disclosures Where Required by Law, for Public Health or Similar Activities: We may also disclose Personal Health Information where required by law, for public health or similar activities. Examples include:

- Releasing Personal Health Information to state or local health authorities, as required by law, about particular communicable diseases, injury, birth, death, and for other required public health investigations;
- Releasing Personal Health Information to a governmental agency or regulator with health care oversight responsibilities;

- Releasing Personal Health Information to a coroner, medical examiner or funeral director to assist in identifying a deceased individual or to determine the cause of death;
- Releasing Personal Health Information to public health or other appropriate authorities, as required by law, when there is reason to suspect abuse, neglect, or domestic violence;
- Releasing Personal Health Information to the Food and Drug Administration (FDA) for purposes related to quality, safety or effectiveness of FDA-regulated products or activities;
- Releasing Personal Health Information if required by law to do so by a court or administrative ordered subpoena or discovery request, or for law enforcement purposes as permitted by law. We will make efforts to notify you of such requests or to obtain an order protecting the Personal Health Information requested. We may disclose Personal Health Information to any governmental agency or regulator with whom you have filed a complaint or as part of a regulatory agency examination;
- Releasing Personal Health Information for certain research purposes when such research is approved by an institutional review board with established rules to ensure privacy;
- Releasing Personal Health Information if you are a member of the military as required by armed forces services;
- Releasing Personal Health Information to federal officials for intelligence, counterintelligence, and other national security activities authorized by law.
- Releasing Personal Health Information to worker's compensation agencies if necessary for your worker's compensation benefit determination;
- Releasing Personal Health Information to avert a serious threat to someone's health or safety, including the disclosure of Personal Health Information to government or disaster relief or assistance agencies to allow such entities to carry out their responsibilities to specific disaster situations.
- **Uses and Disclosures to Family, Friends or Others Involved in Your Care:** With your written approval, we may disclose your Personal Health Information to designated family, friend, personal representative, or other individual that you may identify as involved in your care or involved in the payment for your care. Should you become incapacitated or be in the face of an emergency medical situation and not able to provide us with your written approval, we may disclose Personal Health Information about you that is directly relevant to such person's involvement in your care or payment for such care.

YOUR RIGHTS REGARDING YOUR PERSONAL HEALTH INFORMATION

You have the following rights as a consumer under HIPAA concerning the Personal Health Information we have about you in our records. Any request to exercise your rights

as described below should be made in writing and sent to **First Penn-Pacific Life Insurance Company, MIN2, P.O. Box 5048, Hartford, CT 06102-5048, Attention: Privacy Official**. Also, should you wish to terminate a request that has been accommodated, such termination request must also be in writing and sent to the same address listed above. Your request should include the following information: your full name, address, and policy number. Generally, we will respond to these requests within 30 days of receipt.

Right to Request Restrictions: You have the right to request that we restrict or limit our use or disclosure of your Personal Health Information that would otherwise be permitted for purposes related to treatment, payment or our health care operations, or that we disclose to someone who may be involved in your care or payment for your care, like a family member, friend or personal representative. While we will consider your request, we are not required to agree to your restriction. If we do agree to the restriction, we will not use or disclose your Personal Health Information as requested but reserve the right to terminate the agreed to restriction if such termination is deemed appropriate. In your request to restrict use and disclosure, you must tell us (1) what information you want to limit; (2) whether you want to limit our use, disclosure or both; and (3) to whom you want the limits to apply (for example, disclosures to your spouse or parent). We will not agree to restrictions on Personal Health Information uses or disclosures that are legally required, or which are necessary to administer our business.

Right to Request Confidential Communications: You have the right to request that we communicate with you about Personal Health Information in a certain way or at a certain location if you make such a request in writing and send to the address listed above. Your request must specify how or where you wish to be contacted. We will accommodate all reasonable requests.

Right to Inspect and Copy Your Personal Health Information: In most instances, you have the right to inspect and obtain a copy of the Personal Health Information that we maintain about you. Your request must be in writing and sent to the address listed above. We will deny inspection and copying of certain Personal Health Information, for example psychotherapy notes and Personal Health Information collected by us in connection with, or in reasonable anticipation of any claim or legal proceeding. We reserve the right to charge a fee for the costs of copying, mailing or other supplies associated with your request. In those limited circumstances that we may deny your request to inspect and obtain a copy of your Personal Health Information, you have the right to request a review of our denial.

Right to Amend Your Personal Health Information: You have the right to request that we amend your Personal Health Information in our records if you believe that it is inaccurate or incomplete. Your request must be in writing and sent to the address listed above. Your request must provide your reason(s) for seeking the amendment or correction. If an amendment or correction request is accepted, we will amend or correct all appropriate records as well as notify others with whom we have disclosed the erroneous Personal Health Information. We may deny your request if you ask us to amend Personal Health Information that is accurate and complete; was not created by us, unless the creator of Personal Health Information is no longer available to make the amendment; is not part of the Personal Health Information kept by or for us; or is not part of the Personal Health Information which you would be permitted to inspect and copy. If we deny your request, we will provide you with an

explanation for our denial and any further rights you may have regarding your request to amend.

Right to Receive an Accounting of Disclosures of Your Personal Health Information: You have the right to request an accounting or list of disclosures we have made of your Personal Health Information. This list will not include disclosures made for treatment, payment or health care operations, for purposes of national security, made to law enforcement or to corrections personnel or made pursuant to your authorization or made directly to you. To request this list, you must submit your request in writing to the address listed above. Your request must state the time period from which you want to receive a list of disclosures. The time period may not be longer than six years and may not include dates before April 14, 2003. The first list you request within a 12-month period will be free. We reserve the right to charge you for responding to any additional requests. We will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred.

Right to File a Complaint: If you believe your privacy rights have been violated, you may file a complaint with us or with the Secretary of the Department of Health and Human Services. To file a complaint with us, you must submit a written complaint to the address listed above. You can be assured that you will not be retaliated against by the First Penn for filing a complaint.

For Further Information: For further information regarding this Notice or First Penn's privacy practices, please contact **First Penn-Pacific Life Insurance Company, MIN2, P.O. Box 5048, Hartford, CT 06102-5048, Attention: Privacy Official.**

Effective Date: This Notice is effective April 14, 2003.