TEXAS WELLNESS HEALTH GROUP, PLLC

doing business as WH-N Functional Medicine (Wellness Health-Nutrition)

NOTICE OF PRIVACY PRACTICES

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.

Originally effective May 11, 2016; revised November 14, 2026.

Questions or requests? Contact our Privacy Officer: Jorge Miranda, MD, Privacy Officer, Texas Wellness Health Group, PLLC, 5208 N 10th St #4016, McAllen, TX 78504; phone 956-581-2168; email info@wellnesshg.com. You can ask for a paper copy of this notice at any time.

Who follows this notice

This notice applies to Texas Wellness Health Group, PLLC, doing business as WH-N Functional Medicine (Wellness Health-Nutrition) ("WH-N," "we"), its physician(s) including Jorge Miranda, MD (Dr. Miranda), and our staff, contractors and volunteers who work with your health information. "Health information" (also called protected health information, or PHI) means information that identifies you and relates to your past, present or future physical or mental health, the care you receive, or payment for that care.

Our duties to you

We are required by law to:

- keep the privacy of your health information;
- give you this notice of our legal duties and privacy practices;
- notify you if there is a breach of your unsecured health information; and
- follow the terms of the notice currently in effect.

How we may use and share your health information

For treatment. We use and share your information to provide and coordinate your care.
Example: Your provider reviews your intake answers and, when your visit was transcribed, the transcript of your telehealth visit, and may send a lab order to a laboratory or a prescription to a pharmacy that will fill it.

For payment. We use and share your information to bill and collect payment for services.
Example: We process your payment for a Discovery Session or membership through our payment processor. **WH-N is a cash-pay practice and never bills insurance or any health plan.** If you ask, we can give you an itemized receipt (superbill) for your own use, for example to submit to your health plan yourself; we do not send it to your plan.

For health care operations. We use and share your information to run our practice, improve care, and contact you when needed.
Example: We review a sample of visit notes to check quality, train staff, and send you appointment reminders.

With business associates. We may share your information with companies that perform services for us (for example, our telehealth and phone platform, our electronic medical record (EMR) vendor, our secure forms provider, our labs, and our payment processor). They must sign an agreement (a "business associate agreement") requiring them to protect your information.

Appointment reminders and health-related information. We may contact you by phone, text or email to remind you of appointments or to tell you about treatment options or health-related services we provide. *(See "Marketing" below for what requires your permission.)*

Sharing you can limit or object to

Unless you tell us otherwise, we may:

- share information with a family member, friend or other person involved in your care or payment for your care, limited to what is relevant to their involvement;
- share information to notify someone about your location, general condition or death, or with disaster-relief organizations. If you are not able to tell us your preference (for example, if you are unconscious), we may share information if we believe it is in your best interest, and we may share information when needed to lessen a serious and imminent threat to health or safety.

Other uses and sharing allowed or required without your authorization

We may use or share your information without your written permission in these situations, as the law allows or requires:

- **As required by law:** when federal, state or local law requires it, including to the U.S. Department of Health and Human Services to show we are complying with privacy law.
- **Public health activities:** for example, reporting certain diseases, reporting adverse reactions to medications or problems with products to the FDA, notifying people about product recalls, or preventing disease.
- **Abuse, neglect or domestic violence:** reporting suspected abuse, neglect or family violence to government authorities as the law requires (including Texas mandatory reporting laws).
- **Health oversight activities:** to agencies such as the Texas Medical Board for audits, investigations, inspections and licensing.
- **Lawsuits and legal proceedings:** in response to a court or administrative order, or to a subpoena or other lawful process, subject to the protections the law requires.
- **Law enforcement:** for limited law enforcement purposes, such as responding to a court order, warrant or similar process, or reporting certain crimes or injuries as required by law.
- **Coroners, medical examiners and funeral directors:** as needed to carry out their duties after a patient's death.
- **Organ, eye and tissue donation:** to organizations that handle donation and transplantation.

- **Research:** in limited circumstances, such as when an institutional review board or privacy board has approved the research and waived authorization, or when information is limited so that you cannot be readily identified.
- **To prevent a serious threat to health or safety:** to someone able to help prevent or lessen the threat.
- **Specialized government functions:** for military, veterans, national security and intelligence activities, protective services for the President and others, and correctional institutions, as the law allows.
- **Workers' compensation:** for workers' compensation or similar programs that provide benefits for work-related injuries or illness.

Uses that require your written authorization

We will **not** do the following without your written permission (an "authorization"):

- **Marketing:** using or sharing your information for marketing, as federal and Texas law define it. **We do not use information from your care with us (our patient services) for marketing.** Our newsletters, promotions, product offers and online-shop emails are sent only to people who sign up for them separately on the public part of our website; signing up is optional and is not connected to your care. Texas law requires clear and unambiguous written or electronic permission before health information is used for marketing (Tex. Health & Safety Code §181.152). We will not send your information to another company so that it can market its products to you.
- **Sale of your information:** we will **not sell** your health information. Federal law requires your authorization for any sale of health information, and Texas law prohibits selling it except in narrow cases allowed by law (Tex. Health & Safety Code §181.153).
- **Any other use or sharing not described in this notice.**

You may revoke (cancel) an authorization at any time by writing to our Privacy Officer. Revoking it stops future uses and disclosures, but it does not undo anything we already did in reliance on it.

Electronic disclosure of your health information (Texas notice)

Your health information is subject to electronic disclosure. We keep your records in an electronic medical record and use secure electronic systems (including our telehealth platform and secure online forms) to create, store and send health information. Under Texas law, we will not electronically disclose your health information to anyone without your separate authorization for each disclosure, **except** when the disclosure is to another covered entity for treatment, payment, health care operations, or certain insurance functions, or when it is otherwise authorized or required by state or federal law (Tex. Health & Safety Code §181.154).

Telehealth visits, recordings and transcripts

- **How visits happen:** Discovery Sessions and other telehealth visits take place by live audio **and** video on RingCentral. RingCentral has signed a business associate agreement with us that covers its AI features, including transcription and AI-drafted notes.
- **Transcription and AI-drafted notes:** With your consent, your visit is transcribed. **An artificial intelligence (AI) tool, covered by our business associate agreements (RingCentral AI Notes or our Microsoft 365 tools), drafts the encounter note from the transcript. Dr. Miranda reviews, edits**

and signs every note and remains responsible for it. The AI does not make diagnoses or treatment decisions, and no note becomes part of your record until Dr. Miranda signs it. (This disclosure follows Tex. Health & Safety Code §183.005.)

- **Transcripts are kept in our EMR:** Transcripts of your Discovery Session and of all later encounters, in any form, are kept in our electronic medical record **whether or not a provider-patient relationship is established or accepted**. If a visit is held without transcription, Dr. Miranda's manually written encounter note is what is placed in the electronic medical record. We keep records of **all encounters, including for people who never become patients, for at least seven years** from the last encounter, and longer when the law requires (for example, for a patient who was under 18 when last seen: until age 21 or seven years, whichever is longer).
- **Recordings are not part of your medical record:** If an audio or video recording is made, it is used only to produce the transcript. It is **not part of your medical record**. It is held for **no more than one year** and is usually deleted much sooner, and our staff check every week that deletion is happening.
- **If you do not consent to transcription, your Discovery Session will still take place, without recording or transcription, and Dr. Miranda will write that encounter note himself. Ongoing care with WH-N requires consent to transcription.**
- **Accommodations:** If you have a disability and need an accommodation for your visit or for how it is documented, please contact us directly at 956-581-2168 or info@wellnesshg.com so we can make arrangements.
- **Where your records are stored:** As Texas law requires, electronic health records under our control are physically stored in the United States or a U.S. territory (Tex. Health & Safety Code §183.002).

Your rights regarding your health information

When it comes to your health information, you have the right to:

Get a copy of your medical record. You can ask to see or get a copy of your medical and billing records, including an **electronic copy** in the form and format you ask for, if we can readily produce it (or another readable electronic format we agree on). You can also ask us to send a copy directly to a person you choose. Send your request in writing to the Privacy Officer at 5208 N 10th St #4016, McAllen, TX 78504, or by email at info@wellnesshg.com, or call 956-581-2168. We will respond within 30 days (federal law), and if we keep the record electronically, we will provide the electronic copy within **15 business days** of your written request (Tex. Health & Safety Code §181.102). Fees are described below under "Fees for copies." In limited cases we may deny access; if we do, we will tell you why in writing and, where the law allows, how to ask for a review.

Ask us to correct (amend) your record. If you think information in your record is incorrect or incomplete, you can ask us in writing to correct it. We may say "no," but we will tell you why in writing within 60 days, and you may submit a statement of disagreement.

Get a list of those with whom we've shared information (an accounting of disclosures). You can ask for a list of the times we've shared your health information in the six years before your request, who we shared it with, and why. The list will not include disclosures for treatment, payment, health care operations, ones you authorized, and certain others. We'll provide one list a year for free and may charge a reasonable, cost-based fee for more within 12 months.

Ask us to limit what we use or share (request restrictions). You can ask us not to use or share certain information for treatment, payment or operations, or with people involved in your care. We are not required to agree, and we may say "no" if it would affect your care. WH-N is cash-pay and does not bill

health plans, so we do not send your information to a health plan for payment. **Federal law also gives you this right: if you pay for a service or health care item out of pocket in full, you can ask us not to share information about it with a health plan for payment or health care operations, and we will say "yes"** unless a law requires us to share it.

Ask us to contact you confidentially. You can ask us to contact you in a specific way (for example, only by cell phone or email) or at a different address. We will say "yes" to all reasonable requests and will not ask why.

Get a paper copy of this notice. You can ask for a paper copy at any time, even if you agreed to get it electronically. We will give it to you promptly.

Choose someone to act for you. If you have given someone medical power of attorney, or someone is your legal guardian or other legally authorized representative, that person can exercise your rights and make choices about your health information. We will confirm the person has this authority before we act.

Minors. We treat patients under 18 only in the presence of a parent or legal guardian. In most cases the parent or legal guardian acts as the minor's personal representative and may exercise the minor's rights under this notice, except where Texas or federal law gives the minor control of certain information.

Be notified of a breach. We will notify you if a breach occurs that may have compromised the privacy or security of your unsecured health information, as federal and Texas law require.

File a complaint if you feel your rights are violated. See below.

How to file a complaint

- **With us:** Contact our Privacy Officer: Jorge Miranda, MD, Privacy Officer, Texas Wellness Health Group, PLLC, 5208 N 10th St #4016, McAllen, TX 78504; phone 956-581-2168; email info@wellnesshg.com.
- **With the U.S. Department of Health and Human Services, Office for Civil Rights:** send a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201, call 1-877-696-6775, or visit www.hhs.gov/ocr/complaints.
- **With the State of Texas:** You can find information about your health privacy rights and how to file a consumer complaint on the Texas Attorney General's website at https://www.texasattorneygeneral.gov/consumer-protection/health-care/patient-privacy (Tex. Health & Safety Code §§181.103, 181.105).
- **About a physician, with the Texas Medical Board:** see the "Notice Concerning Complaints" below.

We will not retaliate against you for filing a complaint.

Changes to this notice

We can change the terms of this notice, and the changes will apply to all information we have about you, including information we created or received before the change. If we make a material change, we will post the new notice on our website at https://www.wellnesshealth-nutrition.com/notice-of-privacy-practices and make it available on request. The effective date is shown at the top of the notice.

Other laws

Some Texas and federal laws give certain information extra protection (for example, mental health records, genetic information, and physician-patient communications under Texas Occupations Code Chapter 159). When those laws are stricter than HIPAA, we follow the stricter law.

Your records and our complaint and licensing contacts (Texas notice)

- **To request your health records:** contact our Privacy Officer, Jorge Miranda, MD, at 956-581-2168 or in writing at 5208 N 10th St #4016, McAllen, TX 78504 (email info@wellnesshg.com).

Fees for copies. If you request a copy of your own records, we charge only a reasonable, cost-based fee allowed by HIPAA (45 CFR 164.524(c)(4): https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-C/part-164/subpart-E/section-164.524#p-164.524(c)(4)). That fee may include only copying labor, supplies, and postage if you ask us to mail the copy; it does not include a search or retrieval fee. For an electronic copy of records we keep electronically, we may charge a flat fee of no more than $6.50, including labor, supplies, and postage, or our actual or average allowable costs under HIPAA, which will not exceed what federal law allows (HHS guidance: https://www.hhs.gov/hipaa/for-professionals/privacy/guidance/access/clarification-flat-rate-copy-fee/index.html).

If a third party requests your records, Texas Medical Board rules cap the fee at $25 for the first 20 paper pages and $0.50 per page after that; $25 for an electronic copy of 500 pages or fewer, or $50 for more than 500 pages; up to $15 for an affidavit, if requested; and up to $8 per copy of an imaging study. If we mail the records, we may add the actual postage. There is no separate retrieval fee in those rules. See 22 Tex. Admin. Code §163.3 and the Texas Medical Board's explanation at https://www.tmb.texas.gov/305-what-are-reasonable-fees-medical-records.

We do not charge for a medical or mental health record that you (or your attorney or authorized representative) request to support an application or appeal for disability benefits or other disability-based assistance, including Social Security, SSI, Medicaid, Medicare, veterans' benefits, and certain state assistance programs, when the request includes the confirmation required by law (Tex. Health & Safety Code §161.202: https://statutes.capitol.texas.gov/GetStatute.aspx?Code=HS&Value=161.202).

- **Our licensing authority:** Texas Medical Board (see notice below).
- **To file a consumer complaint with the State:** visit the Texas Attorney General's patient-privacy page at https://www.texasattorneygeneral.gov/consumer-protection/health-care/patient-privacy.

NOTICE CONCERNING COMPLAINTS / AVISO SOBRE LAS QUEJAS

NOTICE CONCERNING COMPLAINTS

Complaints about physicians, as well as other licensees and registrants of the Texas Medical Board, including physician assistants, acupuncturists, surgical assistants, medical radiologic technologists, non-certified radiologic technicians, respiratory care practitioners, medical physicists, and perfusionists may be reported for investigation at the following address:

Texas Medical Board
Attention: Investigations

1801 Congress Avenue, Suite 9.200
P.O. Box 2018
Austin, Texas 78768-2018

Assistance in filing a complaint is available by calling the following telephone number:
1-800-201-9353

For more information please visit our website at www.tmb.state.tx.us

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AVISO SOBRE LAS QUEJAS

Quejas sobre médicos, así como sobre otros profesionales médicos de la Junta Médica de Texas, incluyendo asistentes médicos profesionales, acupunturistas, asistentes quirúrgicos, tecnólogos médicos en radiología, técnicos radiólogos no certificados, profesionales de cuidados respiratorios, físicos médicos, y perfusionistas se pueden presentar en la siguiente dirección para ser investigadas:

Texas Medical Board
Attention: Investigations
1801 Congress Avenue, Suite 9.200
P.O. Box 2018
Austin, Texas 78768-2018

Si necesita ayuda para presentar una queja, llame al:
1-800-201-9353

Para obtener más información, visite nuestro sitio web en

www.tmb.state.tx.us