

Notice of Privacy Practices

PURPOSE

The S. June Smith Center is required by federal privacy regulations to maintain the privacy of client health information and to provide client and/or legal representative (parent/legal guardian) notice of our legal duties and privacy practice with respect to protecting the confidentiality of health care information. The S. June Smith Center maintains an appropriate system for insuring confidentiality of medical information in accordance with the Health Insurance Portability and Accountability Act of 1996 and applicable state regulations.

PROCEDURE

1. **Responsibility:** It is the responsibility of the Executive Director, the Privacy Officer, and the Security Officer of the S. June Smith Center to administer policies, procedures and practices related to the privacy and confidentiality of medical information.
2. **Client Notification:** The client and/or his/her legal representative (parent/legal guardian) will be advised of the S. June Smith Center's policy on privacy and confidentiality at the time services are initiated. The client or legal representative will be given a copy of the *Notice of Privacy Practices*, asked to read it carefully, and sign the *Acknowledgement of Notice of Privacy Practices*, which serves as acknowledgement of being advised of the S. June Smith Center's privacy practices. The *Consent to Release Information* should also be signed by the client or legal representative. These forms will be maintained in the client's permanent records. **Note: If the *Acknowledgement of Privacy Practices* and the *Consent to Release Information* forms are not signed, the S. June Smith Center reserves the right to refuse services.**
3. **Use and Disclosure of Protected Medical Information:** The following are some examples of how the S. June Smith Center may use and/or disclose protected health information:
 - a. **Evaluation and Services**
 - i. In the course of conducting evaluations and providing services, other staff of the S. June Smith Center may review and discuss client medical information.
 - ii. When staff members from more than one agency are involved in providing services, medical information may be shared and discussed with the appropriate staff of the other provider agencies.
 - iii. Clients and families/caregivers may be contacted for appointment reminders and schedule changes.
 - iv. Vehicles used in providing evaluation and services are often marked with the S. June Smith Center name and logo.
 - v. Mailings from the S. June Smith Center with the S. June Smith Center name, logo and address may be sent to the home of clients.
 - b. **Financial and Billing**
 - i. Sharing required information with the appropriate funding agency or health insurance provider to determine eligibility of funding or coverage.
 - ii. Submission of billing information, such as invoices and claim forms.
 - iii. Mailing billing information in envelopes with the S. June Smith Center name.
 - iv. Providing medical records and other documentation to others to support the necessity of client services.
 - v. Providing information to agencies or attorneys representing the S. June Smith Center.

- c. Business Operations
 - i. Quality management activities.
 - ii. Training of staff, volunteers and student interns.
 - iii. Compliance monitoring, certification, and licensing activities.
 - iv. Health care fraud detection and enforcement.
 - v. Legal and auditing functions.
 - vi. Business planning and general administration.
 - vii. Comply with legal action, such as a subpoena or court order.
 - viii. Business associates, such as software vendors, consultants, and accountants.
- d. Public Health and Safety Activities
 - i. Required reporting of communicable disease.
 - ii. Child abuse and neglect reporting.
 - iii. Incident reporting to outside agencies.
 - iv. OSHA requirements related to workplace safety.
- e. Public Disclosure: Program Reporting, Fund-Raising and Publicity
 - i. Aggregate demographic information may be used by the S. June Smith Center for public information about programs, events, and in support of the S. June Smith Center's mission.
 - ii. Information regarding individual clients, such as names, photographs or other identifying information will not be shared without a signed release from the client or legal representative (parent/legal guardian).

4. Client Privacy Rights

- a. Use and Disclosure with Authorization
 - i. For other purposes that are not described in #3 above, clients and their legal representatives (parent/legal guardian) may request that the S. June Smith Center restrict future use and disclosure of protected medical information.
 - ii. To request further restrictions with regards to sharing protected health information, clients or their legal representatives (parent/legal guardian) should note restrictions by completing and submitting a revised *Consent to Release Information*, identifying the information that they wish to be restricted.
 - iii. No protected medical information will be released to another organization, without the written consent of the client or their legal representative (parent/legal guardian). This consent can be withdrawn at any time, but must be made in writing.
- b. Confidential Communication: Clients and their legal representatives (parent/legal guardian) may request that communication of protected medical information be made by a certain method or location. Such requests are to be noted on the *Consent to Release Information*.
- c. Accounting of Disclosures
 - i. Clients and their legal representatives (parent/legal guardian) may request an accounting of certain disclosures of protected medical information by the S. June Smith Center. This right is limited as per state or federal statute.
 - ii. All client medical records will be maintained in secure locations at the S. June Smith, its classroom sites, or a secured remote storage site.

- d. Inspection and Copying
 - i. Clients and their legal representatives (parent/legal guardian) have the right to inspect and obtain copies of their protected medical information that are maintained by the S. June Smith Center. This right is subject to legal statute and applicable charges for costs and labor may apply (as determined by the Commonwealth of Pennsylvania).
 - ii. To access client records or obtain a copy, a written request must be submitted to the Center's Privacy Officer, specifying:
 - (1) Identify the nature of the protected health information being requested
 - (2) State method of access desired: on-site inspection, pick-up copy, mail copy, etc.
 - (3) Provide sufficient information for the S. June Smith Center to determine the legality of the requester (for example: self, guardian of client, attorney of client, etc)
 - e. Right to Amendment: A client or the client's legal representative (parent/guardian) who believes that medical information maintained by the S. June Smith Center to be inaccurate, misleading, a violation of their privacy or other rights, may request that the information be amended by:
 - i. Requesting, in writing, the specific nature of the desired amendment to the medical information and the reason that the amendment is being requested.
 - ii. The S. June Smith Center will respond within forty-five (45) days of the receipt of the request for amendment and provide its decision regarding amending the client records in question.
 - iii. If the S. June Smith Center has decided not to amend the client's information, the requester will be advised of their rights to have a statement commenting on any disputed information included in the client's records.
 - iv. Furthermore, the client may file a formal grievance, in accordance with the S. June Smith Center's Client Grievance Policy.
 - f. Additional Information: A client or the client's legal representative (parent/legal guardian) may request a copy of the current Notice of Privacy Practices or related policies by contacting the Privacy Officer or the staff member(s) providing evaluation and services to their family.
5. Changes in Privacy Policies and Practice: The S. June Smith Center reserves the right to change this and all related policies and procedures at any time.
6. Complaints: Clients or their legal representatives (parent/legal guardian) who believe that the S. June Smith Center has violated their privacy rights may submit a written complaint to the Privacy Officer of the S. June Smith Center or the Secretary of the U.S. Department of Health and Human Services. No retaliation is to be taken towards anyone submitting a complaint or their family.

LEGAL IMPACT OF THESE PROCEDURES

These procedures are not intended to create contractual or other rights independent of those created in federal and state privacy regulations.

POLICY & PROCEDURE REFERENCE

The contents of this document are identical with the S. June Smith Center *Program Procedure 6005: Notice of Privacy Practices*, which serves as the official procedures for the notice of privacy practices.