

KENTUCKY RIVER CHILD ADVOCACY CENTER



Effective 7-1-16

Notice Of Privacy Practices

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU/YOUR CHILD MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

OUR RESPONSIBILITIES

Kentucky River Child Advocacy Center (hereinafter referred to as KRCAC) takes the privacy of you/your child's health information seriously. We are required by law to maintain that privacy and to provide you with this Notice of Privacy Practices. This Notice is provided to tell you about our duties and practices with respect to you/your child's information. We are required to abide by the terms of this Notice that is currently in effect.

HOW WE MAY USE AND DISCLOSE YOUR/YOUR CHILD'S HEALTH INFORMATION. The following categories describe different ways that we use and disclose your/your child's health information without your authorization. For each category, we explain what we mean and give some examples. Not every use or disclosure in a category will be listed. However, all of the ways we are permitted to use and disclose information will fall within one of the categories.

◆ **For Treatment.** KRCAC may use health information about you/your child to provide you/your child with treatment, health care, or related services. We may disclose you/your child's health information to doctors, nurses, aids, technicians, or other KRCAC employees who are involved in taking care of you/your child. Additionally, KRCAC may use or disclose the health information to manage or coordinate treatment, healthcare, or other related services. **[Examples of how we may use and disclose health information for treatment purposes include: For a referral to a specialist, for a prescription, at your request for transfer of care to another clinician.]**

◆ **For payment.** KRCAC may use and disclose your/your child's health information to bill and collect for the treatment and services we provide to you/your child. We may send health information to an insurance company or other third party payment purposes. **[Example of how we may use and disclose health information for payment purposes include: Sending information for payment purposes in order for Medicaid or Child Victim's Trust Fund to pay for the visit.]**

◆ **For Health Care Operations.** KRCAC may use and disclose your/your child's health information for health care operations. These uses and disclosures are necessary to run KRCAC, to make sure you/your child receive competent, quality healthcare, and to maintain and improve the quality of health care we provide. **[Examples of how we may use and disclose health information for health care operation purposes include: chart reviews by our Quality Improvement Teams.]**

◆ **As Required By Law.** KRCAC may disclose your/your child's health information when required to do so by federal, state, or local law.

◆ **For Public Health Purposes.** KRCAC may disclose your/your child's health information for public health activities. While there may be others, public health activities generally include the following:

- Preventing or controlling disease, injury, or disability;
- Reporting births and deaths;
- Reporting defective medical devices or problems with medications;
- Notifying people of recalls of products they may be using; and
- Notifying a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition.

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- ◆ **About Victims of Abuse.** KRCAC may disclose your/your child's health information when required to notify the appropriate government authority if we believe you/your child have been the victim of abuse, neglect, or domestic violence. We will only make this disclosure if you agree or are authorized by law.
- ◆ **Health Oversight Activities.** KRCAC may disclose your/your child's health information to a health oversight agency for activities authorized by law. These oversight activities might include audits, investigations, inspections, and licensure. The activities are necessary for the government to monitor the health care system, government benefit programs, and compliance with civil rights laws.
- ◆ **Judicial Purposes.** KRCAC may disclose your/your child's health information in response to a court or administrative order.
- ◆ **Law Enforcement.** KRCAC may disclose your/your child's health information if asked to do so by a law enforcement official if such disclosure is:
 - Required by law;
 - In response to a court order, subpoena, warrant, summons or similar process;
 - To identify or locate a suspect, fugitive, material witness, or missing person;
 - About a victim of a crime if, under certain limited circumstances, we are unable to obtain the person's agreement;
 - About a death we believe may be the result of criminal conduct;
 - About criminal conduct at the Covered Entity; or
 - In emergency circumstances to report a crime, the location of the crime or victims, or the identity, description, or location of the person who committed the crime.
- ◆ **Research.** Under certain circumstances, KRCAC may disclose your/your child's health information for research purposes. **[Examples of how we may use and disclose health information for research purposes include: research projects that may involve comparing the health and recovery of all individuals who received one medication to those who received another. All research projects, however, are subject to a special approval process. This process includes evaluating a proposed research project and its use of health information, trying to balance the research needs with your need for privacy of your/your child's health information. Before we use or disclose health information for research, the project will have been approved through this research approval process. Additionally, when it is necessary for research purposes and so long as the health information does not leave KRCAC, we may disclose your/your child's health information to researchers preparing to conduct a research project, for example, to help the researchers look for individuals with specific health needs. Lastly, if certain criteria are met, KRCAC may disclose your/your child's health information to researchers after your/your child's death when it is necessary for research purposes.]**
- ◆ **To Avert a Serious Threat to Health or Safety.** KRCAC may disclose your/your child's health information when KRCAC believes it is absolutely necessary to prevent a serious threat to you/your child's health and safety or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to prevent or lessen the threat or to law enforcement authorities in particular circumstances.
- ◆ **Military and Veterans.** If you/your child are a member of the armed forces, we may release your health information as required by military command authorities, We may also release health information about foreign military personnel to the appropriate foreign military authority.
- ◆ **National Security and Intelligence Activities.** KRCAC may disclose your/your child's health information to authorized federal officials for lawful intelligence, counterintelligence and other national security activities authorized by law.
- ◆ **Protective Services for the President and Others.** KRCAC may disclose your/your child's health information to authorized federal officials so they may provide protection to the President, other authorized persons, or foreign heads of state, or for the conduct of special investigations.
- ◆ **Custodial Situations.** If a correctional institution or law enforcement authority makes certain representations, KRCAC may disclose your/your child's health information a correctional institution or law enforcement official.
- ◆ **Workers' Compensation.** KRCAC may disclose your/your child's health information as authorized by and to the extent necessary to comply with workers' compensation laws or laws relating to similar programs.
- ◆ **Treatment Alternatives, Appointment Reminders, and Health-Related Benefits.** KRCAC may use and disclose your/your child's health information to tell you about or recommend possible treatment

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alternatives or health-related benefits or services that may be of interest to you. Additionally, KRCAC may use and disclose your/your child's health information to provide appointment reminders. If you do not wish KRCAC to contact you about treatment alternatives, health-related benefits, or appointment reminders, you must notify in writing the person listed on the last page of this Notice and state which of those activities you wish to be excluded from.

◆ **Individuals Involved in Your/Your Child's Care or Payment for Your/Your Child's Care.** KRCAC may release your/your child's health information about you/your child to a family member, other relative, or any other person identifies by you who is involved in your/your child's health care. KRCAC may also give information to someone who helps pay for your/your child's care. KRCAC may also tell family, friends, personal representative, or other person responsible for your/your child's health care your/your child's health condition and that you/your child are a patient at KRCAC.

◆ **Communications Regarding KRCAC'S Programs or Products.** KRCAC may disclose your/your child's health information to make a communication to you/your child to describe a health-related product or service of KRCAC. In addition, KRCAC may disclose your/your child's health information to tell you/your child about products or services related to you/your child's treatment, case management, or care coordination, or alternative treatments, therapies, providers, or settings of care for you/your child/ We may occasionally tell you/your child about another company's products or services, but will use or disclose your/your child's health information for such communications only if they occur in person with you/your child. Occasionally, KRCAC may also disclose your/your child's health information to make communication with you in order to give you/your child a gift that is of minimal value, such as diapers or toothpaste.

OTHER USES OF HEALTH INFORMATION

Other uses and disclosures of health information not covered by this Notice or the laws that apply to us will be made only with your written authorization. If you provide authorization to use or disclose your/your child's health information, you may revoke that authorization, in writing, at any time. If you revoke your authorization, we will no longer use or disclose health information about you/your child for the reasons covered by your written authorizations. You understand that we are unable to take back any disclosures we have already made under the authorization, and that we are required to retain our records of the care that we provided to you/your child/

YOUR RIGHTS REGARDING YOUR HEALTH INFORMATION

You have the following rights regarding health information we maintain about you:

◆ **Right to Request Restrictions.** You have the right to request a restriction or limitation on the health information we use or disclose about you/your child for treatment, payment, or health care operations. You also have the right to request a limit on the health information we disclose about you/your child to someone who is involved in your/your child's care or the payment for that care. **In most cases, we are not required to agree to your request.** If KRCAC does agree, we will comply with your request unless the information is needed to provide emergency treatment. To request restrictions, you must make your requests in writing to our Privacy Officer, Kentucky River Child Advocacy Center, Cedar Street, Hazard, KY 41701. In your request, 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.

◆ **Right to Request Confidential Communications.** Typically, we communicate with you regarding your/your child's health care either through your home phone or through the mail at your home address. You have the right to request that we communicate with you or your responsible party about your/your child's health care in an alternative way or at a certain location. To request confidential communications, you must make your request in writing to our Privacy Officer, Kentucky River Child Advocacy Center, 465 Cedar Street, Hazard, KY 41701. We will not ask you the reason for your request. We will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

◆ **Right to Inspect and Copy.** You have the right to inspect and copy health information that may be used to make decisions about you/your child's care. To inspect and copy health information that may be used to make decisions about you/your child, you can submit your request in writing or orally to our Privacy Officer, Kentucky River Child Advocacy Center, 465 Cedar Street, Hazard, KY 41701. If you request a copy of the information, we may charge a fee for the costs of copying, mailing, or other supplies associated with your request.

◆ **Right to Amend.** You have the right to ask us to amend your/your child's health and/or billing information for as long as the information is kept at KRCAC. To request an amendment, your request must be made in writing and submitted to Privacy Officer, Kentucky River Child Advocacy Center, 465 Cedar

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Street, Hazard, KY 41701. In addition, you, must provide a reason that supports your request. We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that:

- Was not created by us, unless the person or entity that created the information is no longer available to make the amendment;
- Is not part of the health information kept by or for KRCAC;
- Is not part of the information which you would be permitted to inspect and copy; or
- Is accurate and complete.

◆ **Right to an Accounting of Disclosures.** You have the right to request a list of certain disclosures that we have made of your/your child's health information. To request this list of disclosures, you must submit your request in writing to Privacy Officer, Kentucky River Child Advocacy Center, 465 Cedar Street, Hazard, KY 41701. Your request must state a time period which may not be longer than six years and may not include dates before April 14, 2003. Your request should indicate in which form you want the list (for example: on paper, electronically, etc.) The first list you request within a twelve-month period will be free. For additional list during such twelve-month period, KRCAC may charge you for the costs of providing the list. 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 a Paper Copy of this Notice.** You have a right to ask us to give you a paper copy of this Notice at any time. Even if you have agreed to receive this Notice electronically, you are still entitled to a paper copy of this Notice. To obtain a paper copy of this Notice, contact the Privacy Officer, Kentucky River Child Advocacy Center, 465 Cedar Street, Hazard, KY 41701

WHO THIS NOTICE APPLIES TO

This Notice describes KRCAC's practices and those of:

- Any health care professional authorized to enter information into or consult on your/your child's medical record;
- All departments and units of KRCAC;
- Any member of a volunteer group we allow to help you/your child; and
- All employees, staff, and other KRCAC personnel.

CHANGES THIS NOTICE

KRCAC reserves the right to change this Notice. KRCAC reserves the right to make revised Notice effective for health information we already have about you/your child, as well as any information we receive in the future. We will post a copy of the current Notice in a clear and prominent location to which you have access. The Notice is also available to you upon request. The Notice will contain, on the first page in the top right hand corner, the effective date. In addition, if we revise the Notice and you are still with KRCAC, we will offer you a copy of the current Notice in effect.

COMPLAINTS

If you believe you/your child's privacy rights have been violated, you may file a complaint with KRCAC or with the Secretary of the Department of Health and Human Services (DHHS), 200 Independence Avenue, S. W., Washington, D.C. 20201. To file a complaint with KRCAC, contact our Privacy Officer at (606) 487-9173. A complaint must name the entity that is the subject of the complaint and describe the acts or omissions believed to be in violation of the applicable requirements of HIPPA or this Privacy Policy. A complaint must be received by us or filed with the Secretary of DHHS within 180 days of when you knew or should have known that the act or omission complained of occurred.

You will not be penalized for filing a complaint.

If you have any questions about this Notice, Please contact:

**KENTUCKY RIVER CHILD ADVOCAY CENTER
ATTN: PRIVACY OFFICER
465 CEDAR STREET
HAZARD, KY 41701
(606) 487-9173**