

Central Michigan District Health Department

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. Effective 04/14/03

We reserve the right to change our practices and to make the new provisions effective for all individually identifiable health information that we maintain. If we change our information practices, we will give you a new copy of the notice the next time you receive services from us.

Your health information will not be shared and /or disclosed without your permission except as described in this notice or as required by law.

You may authorize other disclosures by completing an authorization form. You may also retract (in writing) an authorization at any time except to the extent that we have taken action in reliance on the authorization.

Health Department Responsibilities under the Federal Privacy Standard

We have the following responsibilities with regard to your health information Maintain the privacy of your health information.

- Provide you this notice as to our legal duties and privacy practices with respect to individually identifiable health information that we collect and maintain about you and make a good faith effort to obtain your written acknowledgement of the receipt of this notice. Abide by the terms of this notice.
- Notify you if we are unable to agree to a requested restriction
- Accommodate reasonable requests you may have to communicate health information by alternate means or at alternate locations.
- Train our personnel concerning privacy and confidentiality.

Disclosures for Treatment, Payment, and Health Care Operations

We are permitted to use your health information for treatment, payment, and other healthcare operations. The following are examples of how your information could be used for each of these purposes.

- *Treatment Example:* A physician, nurse, or another member of our health care team will record information in your record about your diagnosis and treatment. This record may be shared with other members of your health care team so that they can treat you. We can provide physicians or health care professionals copies of your records to assist them in treating you once we are no longer treating you.
- *Payment Example:* We may send a bill to you or your insurance company.
- *Health care operations Example:* Clinic staff or members of an accreditation team may use information your health record to assess the care you received and the competence of the staff. We will use this information in an effort to continually improve the quality and effectiveness of the health care and services that we provide.
- *Business Associates Example:* We provide some services, such as vision and hearing school screening, certain diagnostic tests, and lab services through outside contracts. When we use these services, we may disclose your health information to the contractor so that they can perform the function(s) that we have contracted with them to do and bill your or your insurance company for services provided. In some cases, our business associates may collect

your health information on our behalf. We require the business associates to appropriately safeguard your information.

Examples of Other Uses of Information

In certain other circumstances, we are also permitted to disclose your health information without authorization. In some of these cases, you can object to the disclosure. If this release of information is required by law, you may not object to the release of your information. The following are examples of how your information could be used.

- *Notification:* We may use or disclose information to notify or assist in notifying a family member, a personal representative, or another person responsible for your care, of your location and general condition.
- *Communication with family:* Unless you object, Health Department staff, using their best judgment, may disclose to a family member, a close personal friend, or any other person that you identify, health information relevant to that person's involvement in your care or payment related to your care.
- *Research:* We may disclose information to researchers when their research has been approved by an institutional review board that has established rules to ensure the privacy of your health information.
- *Funeral Directors:* We may disclose health information to funeral directors consistent with applicable law to enable them to carry out their duties.
- *Continuity of Care:* We may contact you to provide appointment reminders, recommend possible treatment options or alternatives, or tell you about health-related benefits or services that may be of interest to you.
- *Food and Drug Administration (FDA):* We may disclose to the FDA health information relative to adverse effects/events with respect to food, drugs, supplements, product or product defects, or postmarketing surveillance information to enable product recalls, repairs or replacement.
- *Workers Compensation:* We may disclose health information to comply with laws relating to workers compensation or other similar programs established by law.
- *Public Health:* As required by law, we may disclose your health information to public health or legal authorities (i.e., the Michigan Department of Community Health, schools) charged with prevention or controlling disease, injury, or disability.
- *Correctional Institution:* If you are an inmate of a correctional institution, we may disclose to the institution or agents thereof health information necessary for your health and the health and safety of other individuals.
- *Law Enforcement, Lawsuits or Disputes:* We may disclose health information for law enforcement purposes as required by law or in response to a valid subpoena or court order.
- *Health Oversight Agencies and Public Health Authorities:* If a member of our work force or a business associate believes in good faith that we have engaged in unlawful conduct or otherwise violated professional or clinical standards and are potentially endangering others, they may disclose your health information to health oversight agencies and/or public health authorities.

THIS NOTICE IS AVAILABLE IN LARGER PRINT UPON REQUEST

- *The Federal Department of Health and Human Services (DHHS):* Under the privacy standards, we must disclose your health information to DHHS as necessary to determine our compliance with those standards.
- *Military and Veterans:* We may disclose your health information as required by military command authorities. If you are a member of a foreign military, we may disclose your health information to the appropriate foreign military.
- *Organ Donation:* If you are an organ donor, we may release your health information to organizations that handle organ procurement as necessary to facilitate organ or tissue donation and transplantation.
- *Fundraising Activities:* We currently do not actively conduct fund raising activities.
- *Facility In-Patient Directories:* We do not create a patient directory for the agency.

Your Rights To Privacy

Although your health records are the physical property of the healthcare provider who created them, you have certain rights with regard to the information in that record. Any requests pertaining to your rights listed below **must** be submitted in writing. The Health Department can provide you with forms to make these requests. You have the right to as the Health Department to:

- Limit uses and disclosures of your health information for treatment, payment, and health care operations. We do not, however, have to agree to the restriction. The right to request a restriction of use does not extend to permitted disclosures to you and uses and disclosures not requiring authorization, such as those disclosures required by law.
- Communicate with you by another method (for example, use a different phone number or address), and if the request is reasonable, we will grant your request.
- Give you another copy of this Notice of Privacy Practices. Notices will be distributed when you first receive services (after April 14, 2003). We have also posted this notice on our website at www.cmdhd.org or you can contact us for additional copies.
- Give you access to and a copy of your health information. If we grant access, we will tell you what, if anything, you have to do to get access. We reserve the right to charge a reasonable, cost-based fee for making copies. For certain types of information, we can deny access. You do not have a right of access to the following:
 - o Psychotherapy notes
 - o Information compiled in reasonable anticipation of or for in civil, criminal, or administrative actions or proceedings that is subject to the Clinical Laboratory Improvement Amendments of 1988 (CLIA), 42 U.S.C. 263a. to the extent that giving you access would be prohibited by law.
 - o Information that was obtained from someone other than a health care provider under a promise of confidentiality and the requested access would be reasonably likely to reveal the source of the information

In other situations, if we deny you access you may request a review of our decision. Grounds for denial include the following:

- o It has been determined, in the exercise of professional judgment, that the access is reasonably likely to endanger the physical safety of yourself or another person.
- o The protected health information makes reference to another person (other than a health care provider) and it has been determined, in the exercise of professional judgment, that the access is reasonably likely to cause substantial harm to such other person.
- o The request if made by your personal representative and it has been determined, in the exercise of profession judgment, that giving access to this person is reasonably likely to cause substantial harm to you or another person.

- Amend or correct your health information. We do not have to grant the request. If we deny your request for an amendment/correction, we will notify you why, how you can attach a statement of disagreement to your records, and how you can complain. If we grant the request, we will make the correction and distribute the correction to those who need it and those whom you identify to us that you want to receive the corrected information.
- Give you an accounting of disclosures of your information. We do not need to provide an accounting for certain disclosures, including those made:
 - o To you
 - o To persons involved your care or for other notification purposes as provided in 164.510 of the federal privacy regulations.
 - o To correctional institutions or law enforcement officials under 164.512(k)(5) of the federal privacy regulation.
 - o That occurred before April 14, 2003.

We must provide the accounting within 60 days of your request. The accounting must include the following information:

- o Date of each disclosure.
- o Name and address of the organization or person who received the protected health information
- o Brief description of the information disclosed, the purpose of and/or the basis for the disclosure, or a copy of your written authorization or the written request for disclosure.

How to Get More Information or to Report a Problem

If you have questions or concerns and/or would like additional information, you may contact Barbara Savage at (989) 773-5921, Ext. 124.

If you feel that your privacy rights have been violated, you have the right to complain to both the Central Michigan District Health Department and the Secretary of Health and Human Services. All complaints to the Central Michigan District Health Department must be submitted in writing to the Privacy Officer. The complaint must be signed and include your name, address, and telephone number so that we may contact you. All complaints will be answered in writing within 10 business days of receipt. You may drop off your complaint at any Central Michigan District Health Department branch office or mail it to:

Central Michigan District Health Department
 Attn. Privacy Officer
 2012 E. Preston
 Mt. Pleasant, MI 48858

Individuals may file a complaint without fear of retaliation or decrease in the quality of services received from the Central Michigan District Health Department.