

# Family Life Center, Inc.

## NOTICE OF INFORMATION PRACTICES FOR ALCOHOL/DRUG SERVICES PLEASE READ CAREFULLY

<b>THIS NOTICE DESCRIBES HOW YOUR MEDICAL INFORMATION MAY BE USED AND DISCLOSED AND HOW YOU CAN ACCESS THIS INFORMATION</b>
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### **General Information:**

Information regarding your health care, including payment for health care, is protected under two federal laws: The Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. § 1320d *et seq.*, 45 C.F.R. Parts 160 & 164, and the Confidentiality Law, 42 U.S.C. § 290dd-2, 42 C.F.R. Part 2. Under these laws, Family Life Center, Inc. may not release to anyone outside the agency that you receive alcohol/drug services, nor may Family Life Center, Inc. disclose any information identifying you as an alcohol/drug abuser, or disclose any other protected information except as permitted by law.

### **Understanding Your Alcohol/Drug Record Information**

Each time you visit a hospital, physician, or other health care provider, a record of your visit is made. Typically, this record contains your health history, current symptoms, examination and test results, diagnosis, treatment, and the plan for future care and treatment. Your treatment record serves as a:

- Basis for planning your care and treatment.
- Means of communication among the many professionals who contribute to your care.
- Legal document describing the care and treatment you receive.
- Means by which you or a third-party payer can verify that you actually received the services billed.
- Tool to assess the appropriateness and quality of the care you receive.
- Tool to improve the quality of the services provided.
- Tool to measure outcomes and client satisfaction.
- Means for Family Life Center, Inc. to obtain payment for services provided.

As a client, or a family member/guardian of someone receiving alcohol/drug services, understanding what is contained in the treatment record will help you:

- Ensure the accuracy and completeness of the record.
- Understand who, what, where, why, and how others may access treatment information.
- Make informed decisions about authorizing disclosures.
- Better understand your rights as a client of the agency.

### **Your Rights Under the Federal Privacy Standard**

Although your alcohol/drug records are the physical property of Family Life Center, Inc., you have certain rights in regards to the information they contain. You have the right:

1. To place restrictions on the information disclosed regarding your alcohol/drug treatment. The consent, or release of information, provides you with the ability to request that restrictions be placed on the information disclosed, however, Family Life Center, Inc., does not have to agree to the restrictions. If the agency does agree, we will adhere to your request until you revoke your permission in writing.
2. To obtain a copy of the **Notice of Information Practices**. We have posted copies in prominent locations at all Family Life Center, Inc. locations, but if you want a written copy you have the right to receive one.
3. To ask Family Life Center, Inc. to communicate with you by alternate means and, if the method is reasonable, grant your request.
4. To inspect and copy your alcohol/drug information upon request. ***PLEASE NOTE***, this right is not absolute.

**UNDER THE FEDERAL PRIVACY STANDARDS, YOUR RIGHTS DO NOT INCLUDE ACCESS TO THE FOLLOWING:**

- Psychotherapy Notes. Such notes are comprised of those recorded in any medium by a healthcare provider who is an alcohol/drug professional documenting or analyzing a conversation during a private, group, joint or family counseling session and that are separated from the rest of your medical record.
- Information compiled in reasonable anticipation of, or for use in, civil, criminal, or administrative actions or proceedings.
- Information obtained, under a promise of confidentiality, from someone other than a healthcare provider and if the access requested would reasonably likely reveal the source of the information.

In other situations, Family Life Center, Inc. may deny you access but, if this occurs, we must provide you with a review of why the decision denying access was made. The following are examples of “reviewable” grounds of denial:

- An alcohol/drug professional determines, in the exercise of professional judgment, that access is reasonably likely to endanger the life or physical safety of the individual or another person.
- The information requested refers to another person (other than the healthcare provider) and an alcohol/drug provider determines, in the exercise of professional judgment, that access is reasonably likely to cause substantial harm to the other person.
- The request is made by the individual's personal representative and an alcohol/drug professional determines, in the exercise of professional judgment, that the provision of access to the personal representative is reasonably likely to cause substantial harm to the individual or another person.

If, under these reviewable grounds, your request is denied, another alcohol/drug professional must review the decision of the provider that initially denied access. This review will occur within 60 days of the initial denial. If you are again denied access, Family Life Center, Inc. will explain, in writing, what your rights are, including how to seek review of the decision. If access is granted, Family Life Center, Inc. will tell you what, if anything, you must do to obtain access.

5. Request amendments/corrections to your alcohol/drug information. Family Life Center, Inc. does not have to grant the request if:
  - We did not create the record, as in the case of a consultation report from another provider, because we do not know if the information is accurate or not. In such cases, you must seek amendments/corrections from the party creating the document. If they amend or correct the record, we will put the corrected record in our files.
  - The records are not available to you as discussed in the section outlined above concerning records you do not have access too.
  - The records are accurate and complete.

If Family Life Center, Inc. denies your request for amendment/correction of your records, we will give you information telling you how you can attach a statement of disagreement to your records (which Family Life Center, Inc. may rebut), and how you can make your complaint known. If we grant the request, we will distribute the revision to agencies or individuals requiring the amended/corrected information as well as those you identify.

6. Obtain an accounting of “non-routine” uses and disclosures of your alcohol/drug information, (routine disclosures are those that are used for the purposes of payment, treatment, and health care operations), by Family Life Center, Inc. to individuals or agencies.

Family Life Center, Inc. must provide the accounting within 60 days. The accounting must include:

- The date of each disclosure.
- The name and address of the organization(s) or person(s) who received the information.
- A brief statement of the purpose of the disclosure that reasonably informs you of the basis for the disclosure, or in lieu of such a statement, a copy of your written authorization, or a copy of the written request for disclosure.

Family Life Center, Inc. does not have to provide an accounting:

- For national security or intelligence purposes under § 164.512(k) (2) (disclosures not requiring consent, authorization, or opportunity to object).
- To correctional institutions or law enforcement officials under § 164.512(k) (5) (disclosures not requiring consent, authorization, or opportunity to object).
- Disclosures that occurred before April 14, 2003.
- Disclosures made to you.
- Disclosures authorized by you.

**The first accounting in any 12 month period is free. Thereafter, Family Life Center Inc. reserves the right to charge a reasonable, cost-based fee for copying any records.**

7. Revoke your consent or authorization to use or disclose your alcohol/drug information except to the extent that we have already taken action in reliance upon the consent or authorization.

Family Life Center, Inc. can disclose information without your written permission under the following circumstances:

- Pursuant to an agreement with a qualified service organization/business associate.
- For research, audit, evaluation, quality assurance, and utilization review.
- To report a crime committed on Family Life Center's premises or against the agencies personnel.
- To medical personnel in the event of a medical emergency.
- To appropriate authorities to report suspected child abuse or neglect.
- As allowed by a court order.

Family Life Center, Inc. must obtain your written consent before certain disclosures can be made. These include, but are not limited to:

- Information about you for payment purposes. For example, before we can bill your health insurer or third party payer for services provided, you must sign a release of information to the payer.
- Information concerning you and your treatment to an individual, treatment program, or service provider.

**Family Life Center, Inc.'s Responsibilities Under the Federal Privacy Standards**

In addition to informing you about your rights, the federal privacy standards require us to:

1. Maintain the privacy of your alcohol/drug information, including implementing reasonable and appropriate physical, administrative, and technical safeguards to protect the information.
2. Provide you with this notice concerning to our legal responsibilities and privacy practices with respect to individually identifiable alcohol/drug information we collect and maintain.
3. Abide by the terms of this notice.
4. Train our personnel concerning privacy and confidentiality.
5. Implement a sanction policy to discipline those who breach privacy/confidentiality.
6. Mitigate (lessen the harm of) any breach of privacy/confidentiality.

**FAMILY LIFE CENTER, INC. RESERVES THE RIGHT TO CHANGE OUR PRACTICES AND MAKE NEW PROVISIONS EFFECTIVE FOR ALL INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION WE MAINTAIN. SHOULD WE CHANGE OUR INFORMATION PRACTICES, WE WILL ADVISE YOU BY POSTING THE CHANGES IN ALL LOCATIONS.**

We will not use or disclose your health information without your consent or authorization, except as described in this notice or as otherwise required by law.

**How to Get More Information or to Report a Problem:** If you have questions and/or would like additional information, you may contact Kathi Gale, Privacy Officer at 620-848-2300 or by mail at P.O. Box 550, Riverton, Kansas 66770.

Effective Date: April 14, 2003

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FLC Approved 03/03 Revised 06/04, 12/07