

Talbert House – Gateways
NOTICE OF PRIVACY PRACTICES

Effective Date: April 14, 2003
Revised Date: March 4, 2008
Revised Date : September 23, 2013

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

Your information regarding your health care is protected by two federal laws: the Health Insurance Portability and Accountability Act of 1996 45 C.F.R. and the Confidentiality Law 42 C.F.R. Part 2

WHO WILL FOLLOW THIS NOTICE?

This Notice describes the practices of **Talbert House and Gateways (the "Agency")** and the practices that will be followed by all Agency employees who handle your medical information.

OUR PLEDGE REGARDING YOUR PROTECTED HEALTH INFORMATION

The Agency understands that medical information about you and your health is personal and recognizes that your medical information regarding chemical dependency, substance abuse, and mental health issues is perhaps even more personal to you than other medical information. We are committed to protecting all medical information about you. We maintain our records and conduct our treatment environment with a goal of providing the highest level of protection for your medical information, while still providing you with the highest level of care. This Notice applies to all of the records of your medical care which are received or created by the Agency.

Your other medical treatment providers (e.g., doctors, hospitals, therapists, etc.) may have different policies or notices regarding the use and disclosure of your medical information. The Agency provides health care to you, as a patient, resident, or client in partnership with area physicians, licensing organizations (such as the Ohio Department of Mental Health and the Ohio Department of Alcohol and Drug Services), and other organizations and professionals.

This Notice will tell you about the ways in which the Agency may use and disclose medical information about you. Your medical information, also referred to as protected health information (or "PHI"), is that information about you, including demographic information, that may identify you and that relates to your past, present or future physical or mental health information and related health care services. In this Notice, we also describe your rights and certain obligations the Agency has regarding the use and disclosure of your protected health information so as to ensure that we do not violate any of your rights. We are required by law to:

- * make sure that medical and other information that identifies you (protected health information) is kept private;
- * give you this Notice of our legal duties and privacy practices with respect to protected health information about you; and
- * follow the terms of the Notice that is currently in effect.

USES AND DISCLOSURES FOR TREATMENT, PAYMENT AND HEALTH CARE OPERATIONS

By becoming a patient, resident, or client of the Agency, you are giving consent for the Agency to use your protected health information for certain activities, including treatment, payment and other health care operations.

First of all, we may use and disclose protected health information about you so that the Agency and its medical professionals **can treat you**. For example, we may disclose information about your symptoms, examination, test results, or diagnosis to consult with other medical professionals outside the Agency in order for that entity to perform a function on your behalf. In these situations, we must have in place an agreement from the outside entity that it will extend the same degree of privacy protection to your information that we must apply to your PHI. We may also use and disclose protected health information about you so that **we may be paid** for the medical treatment we provide you. For example, we may send your protected health information to your insurance company, Medicare, Medicaid, the County Mental Health Board, Alcohol Drug and Addiction Services and other governmental bodies and agencies to obtain payment for services we render to you. We may also use and disclose protected health information about you for the Agency's **health care operations**, in other words, those other tasks that we need to perform to make sure that you are provided the highest quality of medical care. For example, we may submit information about you to others for purposes of assessing whether or not we have provided you quality care, determining what we can do to make sure that we continue to provide you quality care or improve the level of care we provide, and developing guidelines and training programs for our employees.

PERMITTED USES AND DISCLOSURES OF YOUR PROTECTED HEALTH INFORMATION

The following uses of your protected health information may be made by the Agency without any additional authorization from you. (Not every use or disclosure is listed, but be assured that all uses and disclosures made by the Agency are only those which are permitted under the law):

1. USES AND DISCLOSURES FOR APPOINTMENT REMINDERS

We may use and disclose your medical information to contact you as a reminder that you have an appointment at our offices. If you request that such communications be made confidentially, please contact our Privacy Officer, in writing, at 2600 Victory Parkway, Cincinnati, Ohio, 45206. We will accommodate all reasonable requests.

2. USES AND DISCLOSURES TO OTHERS INVOLVED IN YOUR HEALTH CARE

We may disclose to a member of your family, a relative, a close friend, or any other person you identify, your protected health information that directly relates to that person's involvement in your medical care. If you are unable to agree or object to this disclosure, we may disclose such information as necessary if we determine that it is in your best interests based on our professional judgment. We may also use or disclose protected health information to notify or assist in notifying a family member, personal representative or any other person that is responsible for your care of your location, general condition, or death. Finally, we may use or disclose your protected health information to an authorized public or private entity to assist in disaster relief efforts and to coordinate uses and disclosures to family or other individuals involved in your health care.

3. USES AND DISCLOSURES IN EMERGENCY SITUATIONS

We may use or disclose your protected health information in an emergency treatment situation. If this happens, the Agency will attempt to obtain your acknowledgment of this Notice as soon as reasonably practicable after the delivery of treatment.

4. USES AND DISCLOSURES FOR HEALTH-RELATED BENEFITS OR SERVICES

From time to time, the Agency may use and disclose protected health information to tell you about certain health-related benefits and services or treatment alternatives that may be of interest to you.

5. USES AND DISCLOSURES REQUIRED BY LAW

We will use or disclose protected health information about you when required to do so by federal, state, or local law. The use or disclosure will be made in compliance with the law and will be limited to the relevant requirements of the law. You will be notified, if the law requires us to do so, of any such uses or disclosures. We must make disclosures to you and, when required by the Secretary of the Department of Health and Human Services, to investigate or determine our compliance with the law.

6. USES AND DISCLOSURES FOR PUBLIC HEALTH ACTIVITIES

We may disclose your protected health information for public health activities and disclosure for such purposes will be to a public health authority that is permitted by law to collect or receive the information. The disclosure will be made for purposes such as controlling disease, injury or disability. Disclosures to public health authorities may include disclosure to a foreign authority that is working with the public health authority.

7. USES AND DISCLOSURES RELATED TO COMMUNICABLE DISEASES

We may disclose your protected health information, if authorized by law, to a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading the disease or condition.

8. DISCLOSURES FOR HEALTH OVERSIGHT ACTIVITIES

We may disclose protected health information to a health oversight agency for activities authorized by law. These activities include, for example, audits, investigations, and inspections. These activities are necessary for the government to monitor the health care system, the delivery of health care, government benefit programs, other government regulatory programs and civil rights laws.

9. DISCLOSURES OF ABUSE OR NEGLECT

We may disclose your protected health information to a public health authority authorized by law to receive reports of child abuse or neglect. In addition, we may disclose your protected health information if we believe that you have been a victim of abuse, neglect or domestic violence to a governmental entity or agency authorized to receive such information. In such cases, the disclosure will only be made in accordance with Ohio law.

10. DISCLOSURES TO THE FOOD AND DRUG ADMINISTRATION

We may disclose your protected health information to a person or company required by the Food and Drug Administration (FDA) to report adverse events, product defects or other problems, biologic product deviations, track products; to enable product recalls; to make repairs or replacements; or to conduct post-market surveillance, as required.

11. DISCLOSURES FOR LAWSUITS AND DISPUTES

If you are involved in a lawsuit or a dispute, we may disclose protected health information about you in response to a court order or administrative order. We may also disclose protected health information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested, or any other such efforts as are required by Ohio law.

12. DISCLOSURES TO LAW ENFORCEMENT

We may release protected health information if asked to do so by a law enforcement official, in response to a court order, subpoena, warrant, summons, or similar process. Other related disclosures may include disclosures relating to individuals who are Armed Forces personnel, to national security and intelligence agencies, as well as disclosures to authorized federal officials for the protection of the President of the United States or other authorized persons or foreign heads of state.

13. DISCLOSURES TO CORONERS, FUNERAL DIRECTORS, AND ORGAN DONATION

We may disclose protected health information about you to a coroner or medical examiner for identification purposes, determining cause of death, or for the coroner or medical examiner to perform other duties required by law. We may also disclose protected health information about you to a funeral director in order to permit the funeral director to carry out legal duties, and may do so if death is reasonably anticipated. Your protected health information may also be disclosed for certain organ donations to which you may have agreed.

14. DISCLOSURES FOR RESEARCH

We may disclose your protected health information to researchers when their research has been approved and protocols have been established to ensure the privacy of your information. We may also disclose a limited set of your information, as allowed under the law, for research purposes.

15. DISCLOSURES RELATED TO CRIMINAL ACTIVITY

We may disclose your protected health information, consistent with federal and Ohio laws, if we believe that the use or disclosure is necessary to prevent or lessen the threat of harm to the health or safety of a person or the public, or if it is necessary for law enforcement authorities to identify or apprehend an individual.

16. DISCLOSURES FOR WORKERS' COMPENSATION

We may release protected health information about you for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.

17. FUNDRAISING

We may, from time to time, contact you regarding our fundraising efforts. The services we have provided to you and our ability to continue to provide similar services in the future is largely dependent upon the generosity of individuals just like you. If you wish to not be contacted by us for this purpose, you have the right to opt out by contacting the Director of the Development Department By calling 513-751-7747

USES AND DISCLOSURES OF PHI ALCOHOL AND OTHER DRUG RECORDS NOT REQUIRING CONSENT OR AUTHORIZATION

The law provides that we may use/disclose your PHI alcohol and other drug records without consent or authorization in the following circumstances:

1. **When required by law:** we may disclose PHI when a law requires that we report information about suspected child abuse and neglect, or when a crime has been committed on the program premises or against program personnel, or in response to a court order.

2. **Relating to decedents:** We may disclose PHI relating to an individual's death if state or federal law requires the information for collection of vital statistics or inquiry into cause of death.
3. **For research, audit or evaluation purposes:** In certain circumstances, we may disclose PHI for research, audit or evaluation purposes.
4. **To avert threat to health or safety:** In order to avoid a serious threat to health or safety, we may disclose PHI to law enforcement when a threat is made to commit a crime on the program premises or against program personnel.

Other uses and disclosures of your PHI require your written authorization

YOUR RIGHTS REGARDING PROTECTED HEALTH INFORMATION ABOUT YOU

Right to Inspect and Copy. Unless your access is restricted for clear and documented treatment reasons, you have a right to see your health information upon your request. We will respond to your request in 30 days. If we deny your access, we will give you written reasons for the denial and explain any right to have the denial reviewed. If you want copies of your PHI, a charge for copying may be imposed, depending on your circumstances. You can request your protected health information in any form and format available to Talbert House and/or Gateways

Right to Request Restrictions: You have the right to request that we restrict the use and disclosure of your protected health information for treatment, payment and health care operations. *We are not required to agree to your request.* If we do agree, we will comply with your request unless the information is needed to provide you emergency treatment. To request restrictions, you must make your request in writing to our Privacy Officer, located at 2600 Victory Parkway, Cincinnati, Ohio 45206. 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 Confidential Communications. You also have the right to request to receive private health information communications (such as appointment reminders, test results, etc.) by alternative means or at alternative locations. For example, you can ask that we only contact you at work or by mail. To request confidential communications, you must make your request in writing to our Privacy Officer, located at 2600 Victory Parkway, Cincinnati, Ohio 45206. 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 Amend. If you believe that there is a mistake or missing information in our record of your PHI, you may request, in writing, that we correct or add to the record. We will respond within 60 days of receiving your request. We may deny the request if we determine that the PHI is: (1) correct and complete; (2) not created by us and/or not part of our records, or; (3) not permitted to be disclosed. Any denial will state the reasons for denial and explain your rights to have the request and denial, along with any statement in response that you provide, appended to your PHI. If we approve the request for amendment, we will change the PHI and so inform you, and tell others that need to know about the change in the PHI. For more information regarding the procedures for submitting such a request, contact our Privacy Officer at (513) 751-7747.

Right to an Accounting of Disclosures. You have a right to get a list of when, to whom, for what purpose, and what content of your PHI has been released other than instances of disclosure: for treatment, payment, and operations, or; to you, your family, or pursuant to your written authorization. The list also will not include any disclosures made for national security purpose, to law enforcement officials or correctional facilities. We will respond to your written request for such a list within 60 days of receiving it. There will be no charge for up to one such list each year. There may be a charge for more frequent requests. To request this list of disclosures we made of protected health information about you, you must submit a request in writing to our Privacy Office, located at 2600 Victory Parkway, Cincinnati, Ohio 45206. Your request must state a time period which may not be longer than six (6) years prior to the date of your request and may not include dates before April 14, 2003. Your request should indicate the form in which you want the list (for example, on paper or electronically).

Right to be Notified of any Breach of the Privacy of your PHI: You have a right to be notified about any disclosure of your PHI to persons not authorized to receive your PHI if the PHI was not encrypted or otherwise made unreadable to such unauthorized recipients.

Right to a Paper Copy of this Notice. You have the right to a paper copy of this Notice. You may ask us to give you a copy of this notice at any time.

- * You may obtain a copy of this Notice at our website: www.talberthouse.org
- * To obtain a paper copy of this Notice, contact our Privacy Office (at the address above).

Right to Choose someone to act for you: If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information. We will make sure the person has this authority and can act for you before we take any action.

To learn more about these procedures, or to make any of these requests, you should contact our Privacy Officer at (513) 751-7747.

CHANGES TO THIS NOTICE

The Agency reserves the right to change this notice. We reserve the right to make the revised or changed Notice effective for protected health information we already have about you, as well as any information we create or receive in the future. We will post a copy of the current Notice on Talbert House's website: www.talberthouse.org. The Notice will contain, in the top right-hand corner, the effective date.

COMPLAINTS

If you think we may have violated your privacy rights, or you disagree with a decision we made about access to your PHI, you may file a complaint with our Privacy Officer at 2600 Victory Parkway, Cincinnati, Ohio 45206 or with the Secretary of the Department of Health and Human Services at 200 Independence Avenue SW, Washington, D.C., 20201 or call 1-877-696-6775, or visiting www.hhs.gov/ocr/privacy/hipaa/complaints/---. **You will not be penalized for filing a complaint.**

OTHER USES OF PROTECTED HEALTH INFORMATION

Other uses and disclosures of your protected health information not covered by this notice or the laws that apply to the Agency will be made only with your written permission ("authorization"). If you provide us permission to use or disclose protected health information about you, you may revoke that permission, in writing, at any time, unless you are receiving treatment as a condition of probation, parole or rehabilitation. If you revoke your permission, we will no longer use or disclose protected health information about you for the reasons covered by your authorization. You understand that we are unable to take back any disclosures we have already made with your permission, and that we are required to retain our records of the medical treatment or other services that we have provided to you.

QUESTIONS?

If you have any questions regarding this notice, please contact our Privacy Officer at :

Talbert House
2600 Victory Parkway
Cincinnati, Ohio 45206
(513) 751-7747
www.Talberthouse.org

EFFECTIVE DATE: This Notice is effective on September 23, 2013