

**ATTIC Correctional Services, Inc.**

**NOTICE OF PRIVACY PRACTICES TO PROGRAM PARTICIPANTS**

**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 Date of Notice: April 14, 2004**

ATTIC Correctional Services, Inc. is committed to protecting the privacy of your medical information. This Notice of Privacy Practices explains how we may use or release your medical information and outlines your privacy rights. Medical information used or released may include information that appears on treatment, payment, and other records used to make decisions about you in the course of providing care, service or other benefits.

**YOUR PERSONAL HEALTH INFORMATION RIGHTS**

**YOU HAVE THE RIGHT TO:**

SEE OR COPY YOUR PERSONAL HEALTH INFORMATION - You have the right to see or copy treatment, payment, and other records used to make decisions about you in the course of providing care, services, or other benefits. Your request must be in writing and should be submitted to the ACS Privacy Officer in the Administration Office, PO Box 7370, Madison WI 53707-7370. We may charge you a fee for costs associated with your request. We are not required to allow you to see or copy psychotherapy notes, or information prepared for use in legal actions or proceedings. Please contact the Privacy Officer for additional information.

CORRECT INFORMATION YOU BELIEVE TO BE INCORRECT OR INCOMPLETE - If you believe that your medical information is incorrect or incomplete, you may submit a request to the Privacy Officer asking that your information be changed. Your request must be in writing and must include the reason(s) why you believe a change should be made. We are not required to approve your request. We will notify you if we approve your request, or explain the reason(s) for our decision if we deny your request.

REQUEST A LISTING OF WHO WAS GIVEN YOUR INFORMATION AND WHY - Upon your request, we will provide you with a list that includes the date we released medical information, the name of the person or organization, a brief description, and the reason for the disclosure. The list will not include releases of information used for treatment, payment, health care operations, or disclosures that were included on listings previously supplied to you. The list will also not include disclosures made for purposes of national security, to correctional institutions, to law enforcement officials while you are in their custody for certain health care oversight activities, authorized by you in writing, made prior to April 14, 2004, or, made more than 6 years prior to the date of your request. If you request more than one accounting per year, we will charge a reasonable, cost-based fee for each subsequent account, unless you withdraw or modify the request for a subsequent accounting to avoid or reduce the fee. Contact the ACS Privacy Officer for assistance.

REQUEST RESTRICTIONS ON HOW WE USE OR SHARE YOUR PERSONAL HEALTH INFORMATION - You have the right to request a restriction or limitation on how we use or release your medical information for purposes of treatment, payment or health care operations. We ask that you put your request in writing, and submit to the Privacy Officer for evaluation. We are not required to agree to your request, and will contact you if we deny your request.

REQUEST CONFIDENTIAL COMMUNICATION(S)- You may ask that we communicate with you about health matters in a certain way or at a certain location. For example, if you are an outpatient participant, you could

request that we contact you at your workplace or via email. We will attempt to accommodate all reasonable requests. To request an alternative method of communication, you must specify how or where you wish to be contacted.

REQUEST A PAPER COPY OF THIS NOTICE- You have the right to request a paper copy of this Notice from us at any time. Please contact the ACS facility you received services or treatment from to request a paper copy.

### **HOW YOUR PERSONAL HEALTH CARE INFORMATION MAY BE USED WITHOUT YOUR WRITTEN PERMISSION**

Your medical information may be used and released by us for purposes of treatment, payment for services, administrative and operational purposes, and to evaluate the quality of the services that you receive. Because we provide a wide range and variety of behavioral health services, not all types of uses and releases can be described in this document. We have listed some common examples of permitted uses and releases below.

FOR TREATMENT – We may share your medical information when we coordinate services you may need, such as clinical assessment, therapy, nutritional services, medications, hospitalization or follow-up care. For example, your medical information may be given to a pharmacist when you need a prescription filled.

FOR PAYMENT - We may release your medical information for billing purposes or to collect payment for services and treatment that you receive. For example, your medical information may be shared with your health plan to provide billing information for a clinical assessment that you have received. We may also share your medical information with government programs such as Workers' Compensation, Medicaid, Medicare, or the Indian Health Services to coordinate benefits and payment.

FOR HEALTH CARE OPERATIONS - We may use and release your medical information to ensure that the services and benefits provided to you are appropriate and high quality. For example, we may use your medical information to evaluate our treatment and service programs or to evaluate the services of other providers that use government funds to provide health care services to you. We may combine medical information about many individuals to research health trends, to determine what services and programs should be offered, or whether new treatments or services are useful.

TO GOVERNMENT AGENCIES PROVIDING BENEFITS OR SERVICES - We may release your medical information to government agencies or programs that provide similar services or benefits to you if the release is necessary to coordinate the delivery of your services or benefits, or improves our ability to administer or manage the program.

TO KEEP YOU INFORMED - We might contact you about reminders for treatment, medical care or appointments.

We may also contact you to tell you about health related benefits or services that may be of interest to you, and give you information about your care and treatment options.

FOR PUBLIC HEALTH - We may release your medical information to local, state or federal public health agencies, subject to the provisions of applicable state and federal law, for the following types of activities:

- To prevent or control disease, injury or disability or to keep vital statistics records such as data about births and deaths;
- To notify social service agencies that are authorized by law to receive reports of abuse, neglect or domestic violence, and;
- To report reactions to medications or problems with products to the Federal Food and Drug Administration.

FOR HEALTH OVERSIGHT - We may share your medical information with other agencies for oversight activities as required by law. Examples of these oversight activities include audits, inspections, investigations, and licensing activities.

LAW ENFORCEMENT – Your medical information may be disclosed to fulfill a requirement by law or law enforcement agencies. For example, medical information may be used to identify or locate a missing person, suspect, fugitive, or material witness; about the victim of a crime if we are unable to obtain the person's agreement; or about a death we believe may be the result of criminal conduct.

COURT OR OTHER HEARINGS - Your medical information may be disclosed to comply with a court order, subpoena, warrant, summons or similar process.

FOR RESEARCH - We may release your medical information for research projects that have been reviewed and approved by an institutional review board or privacy board to ensure the continued privacy and protection of the medical information.

FOR LAWSUITS AND DISPUTES - If you are involved in a lawsuit or dispute, we may release your medical information about you in response to a legal order. We may also release your medical information in response to a subpoena, discovery request, or other lawful process by another party involved in the dispute, but only if they have made an effort to tell you about the request or to obtain an order protecting the medical information requested.

TO CORONERS, MEDICAL EXAMINERS AND FUNERAL DIRECTORS - We may release your medical information to a coroner, medical examiner or funeral director, as necessary to carry out their duties as authorized by law. For example, release of medical information may be necessary to identify a deceased person.

FOR ORGAN DONATIONS - If you are an organ donor, we may release your medical information to an organization that procures, banks or transports organs for the purpose of an organ, eye, or tissue donation and transplantation.

TO AVERT A SERIOUS THREAT TO HEALTH OR PUBLIC SAFETY - We may release your medical information if it is necessary to prevent or lessen a serious threat to your health and safety, the health and safety of another person, or to the general public.

FOR NATIONAL SECURITY AND PROTECTION OF THE PRESIDENT - We may release your medical information to an authorized federal official or other authorized person for the purpose of national security, providing protection to the President, or to conduct special investigations as authorized by law.

TO CORRECTIONAL INSTITUTIONS - If you are an inmate of a correctional institution or in the custody of a law enforcement officer, we may release your medical information to the correctional institution or law enforcement officer, provided the release is necessary to provide you with health care, protect your health and safety, the health and safety of others, or for the safety and security of the correctional institution.

SPECIALIZED GOVERNMENT FUNCTIONS - We may release your medical information to the government for specialized government functions. For example, your medical information may be disclosed to the Department of Veterans Affairs to determine eligibility for benefits.

***If you do not object and the situation is not an emergency and disclosure is not otherwise***

***prohibited by other laws***, we are permitted to release your information under the following circumstances:

TO INDIVIDUALS INVOLVED IN YOUR CARE - We may release your medical information to a family member, other relative, friend or other person whom you have identified to be involved with, or who is otherwise directly involved with your health care or the payment of your health care;

TO FAMILY - We may use your medical information to notify a family member, your personal representative or a person responsible for your care, of your location, general condition or death, and;

TO DISASTER RELIEF AGENCIES - We may release your medical information to an agency authorized by law to assist in disaster relief activities.

REQUIRED BY LAW - In addition to the ways listed previously, your medical information may be disclosed when required by law.

### **OUR RESPONSIBILITIES**

We are required by State and Federal law to maintain the privacy of your medical information. Release of your medical information for reasons other than those necessary for treatment, payment or operations, as outlined in this Notice, or as otherwise permitted by state or federal law, will be made only with your written authorization. You may revoke in writing, your authorization at any time. If you revoke your authorization, we will no longer release your medical information to the prior authorized recipient(s), except to the extent that we previously relied on your original authorization to release your information.

We are required to abide by the provisions of this Notice. We, however, reserve the right to revise this Notice. We also reserve the right to make the revised Notice effective for the medical information we already have about you, as well as any medical information we create or receive in the future. You may ask for a copy of our current privacy practices whenever you visit one of our facilities for treatment or to receive behavioral health services.

### **FOR MORE INFORMATION OR TO REPORT A PROBLEM**

You will not lose benefits, eligibility or otherwise be retaliated against for filing a complaint. Please send your written complaints about this Notice, how we handle your medical information, or if you believe your privacy rights have been violated to the Privacy Officer of ATTIC Correctional Services, Inc., PO Box 7370, Madison WI 53707-7370, and telephone 608-223-0017.

You may also file a complaint with the Secretary of the U.S. Department of Health and Human Services by writing to the Privacy Officer, Department of Health and Human Services, Region V. Office of Civil Rights, 233 North Michigan Avenue, Suite 240, Chicago, III 60611. For additional information, call (312) 886-2359, Fax (312) 886-1807, TDD (312) 353-5693.

End of Notice of Privacy Practices to Program Participants

**ATTIC Correctional Services, Inc.**

Receipt and Acknowledgement of

NOTICE OF PRIVACY PRACTICES

You may refuse to sign this acknowledgement.

I acknowledge that I have received a copy of the ACS NOTICE OF PRIVACY PRACTICES.

Participant Name – First, MI, Last (please print)

Participant Signature

Date Signed

For ACS Staff Use Only

We attempted to obtain written acknowledgement of receipt of our Notice of Privacy Practices, but acknowledgement could not be obtained because:

- \_\_\_\_\_ Participant refused to sign
- \_\_\_\_\_ Communication barriers prohibited obtaining the acknowledgement
- \_\_\_\_\_ An emergency situation prevented us from obtaining acknowledgement
- \_\_\_\_\_ Other (Please Specify):

Name - ACS Staff Person Making Attempt

Date – Attempt Made

Signature – ACS Staff Person Making Attempt

Date - Signed

**Note:** ACS Employee is to remove this page only from Notice and place in participant file. **Participant keeps the 4-page Notice of Privacy Practices document.**