



NOTICE OF PRIVACY RIGHTS

This notice describes how medical (including mental health) information about you may be used and disclosed and how you can get access to this information. Please review it carefully. During the process of providing services to you, Reaching HOPE will obtain, record, and use mental health and medical information that is protected health information. Ordinarily that information is confidential and will not be used or disclosed, except as described below.

I. USES AND DISCLOSURES OF PROTECTED INFORMATION

- A. *General Uses and Disclosures Not Requiring the Client's Consent.* Reaching HOPE will use and disclose protected health information in the following ways.
1. *Treatment.* Treatment refers to the provision, coordination, or management of health care (including mental health care) and related services by one or more health care providers. For example, Reaching HOPE staff involved with your care may use your information to plan your course of treatment and consult with other staff to ensure the most appropriate methods are being used to assist you.
 2. *Payment.* Payment refers to the activities undertaken by a health care provider (including a mental health provider) to obtain or provide reimbursement for the provision of health care. For example, Reaching HOPE will use your information to develop accounts receivable information, bill you, and with your consent, provide information to your insurance company for services provided. The information provided to insurers and other third party payors may include information that identifies you, as well as your diagnosis, type of service, date of service, provider name/identifier, and other information about your condition and treatment. If you are covered by Medicaid, information will be provided to the State of Colorado's Medicaid program, including but not limited to your treatment, condition, diagnosis, and services rendered.
 3. *Health Care Operations.* Health Care Operations refers to activities undertaken by Reaching HOPE that are regular functions of management and administrative activities. For example, Reaching HOPE may use your health information in monitoring or service quality, staff training and evaluation, medical reviews, legal services, auditing functions, compliance programs, business planning, and accreditation, certification, licensing, and credentialing activities.
 4. *Contacting the Client.* Reaching HOPE may contact you to remind you of appointments and to tell you about treatments or other services that might be of benefit to you.
 5. *Required by Law.* Reaching HOPE will disclose protected health information when required by law. This includes, but is not limited to:
 - a. Reporting of child abuse or neglect;
 - b. When court ordered to release information;
 - c. When there is a legal duty to warn or take action regarding imminent danger to others;
 - d. When the client is a danger to self or others or gravely disabled;
 - e. When required to report certain communicable diseases and certain injuries;
 - f. When a Coroner is investigating the client's death;
 - g. To government regulatory and oversight agencies that oversee Reaching HOPE and staff activities.
 6. *Crimes on the premises or observed by Reaching HOPE personnel.* Crimes that are observed by Reaching HOPE staff, directed toward staff, or occur on Reaching HOPE premises will be reported to law enforcement.
 7. *Business Associates.* Some of the functions of Reaching HOPE are provided by contracts with business associates. For example, some administrative, clinical, quality assurance, billing, legal, auditing, and practice management services may be provided by contracting with outside entities to perform those services. In those situations, protected health information will be provided to those contractors as is needed to perform their contracted tasks. Business associates are required to enter into an agreement maintaining the privacy of the protected health information released to them.
 8. *Research.* Reaching HOPE may use or disclose protected health information for research purposes if the relevant limitations of the Federal HIPAA Privacy Regulation are followed. 45 CFR 164.512(i).
 9. *Involuntary Clients.* Information regarding clients who are being treated involuntarily, pursuant to law, will be shared with other treatment providers, legal entities, their party payers, and others, as necessary to provide the care and management coordination needed.
 10. *Family Members.* Except for certain minors, incompetent clients, or involuntary clients, protected health information cannot be provided to family members without the client's consent. In situations where family members are present during a discussion with the client, and it can be reasonably inferred from the circumstances that the client does not object, information may be disclosed in the course of the discussion. However, if the client objects, protected health information will not be disclosed.
 11. *Emergencies.* In life threatening emergencies, Reaching HOPE staff will disclose information necessary to avoid serious harm or death.

- B. *Client Authorization or Release of Information.* Reaching HOPE may not use or disclose protected health information in any other way without a signed authorization or release of information. When you sign an authorization, or a release of information, it may later be revoked, provided that the revocation is in writing. The revocation will apply, except to the extent that Reaching HOPE has already taken action in reliance thereon.

II. YOUR RIGHTS AS A CLIENT

- A. *Access to Protected Health Information.* You have the right to inspect and obtain a copy of the protected health information Reaching HOPE has regarding you, in the designated record set. There are some limitations to this right, which will be provided to you at the time of your request, if any such limitation applies. To make a request, ask Reaching HOPE staff for the appropriate request form.
- B. *Amendment of Your Record.* You have the right to request that Reaching HOPE amend your protected health information. Reaching HOPE is not required to amend the record if it is determined that the record is accurate and complete. There are other exceptions, which will be provided to you at the time of your request, if relevant, along with the appeal process available to you. To make a request, ask Reaching HOPE staff for the appropriate form.
- C. *Accounting of Disclosures.* You have the right to receive an accounting of certain disclosures Reaching HOPE has made regarding your protected health information. However, that accounting does not include disclosures that were made for the purpose of treatment, payment, or health care operations. In addition, the accounting does not include disclosures made to you, disclosures made pursuant to a signed authorization, or disclosures made prior to April 14, 2003. There are other exceptions that will be provided to you, should you request an accounting. To make a request, ask Reaching HOPE staff for the appropriate request form.
- D. *Additional Restrictions.* You have the right to request additional restrictions on use or disclosure of your health information. Reaching HOPE does not have to agree to that request, and there are certain limits to any restriction, which will be provided to you at the time of your request. To make a request, ask Reaching HOPE staff for the appropriate request form.
- E. *Alternative Means of Receiving Confidential Communications.* You have the right to request that you receive communications of protected health information from Reaching HOPE by alternative means or at alternative locations. For example, if you do not want Reaching HOPE to mail bills or other materials to your home, you can request that this information be sent to another address. There are limitations to the granting of such requests, which will be provided to you at the time of the request process. To make a request, ask Reaching HOPE staff for the appropriate request form.
- F. *Copy of this Notice.* You have the right to obtain another copy of the Notice upon request.

III. ADDITIONAL INFORMATION

- A. *Privacy Laws.* Reaching HOPE is required by State and Federal law to maintain the privacy of protected health information. In addition, Reaching HOPE is required by law to provide clients with notice of its legal duties and privacy practices with respect to protected health information. That is the purpose of this Notice.
- B. *Terms of the Notice & Changes to the Notice.* Reaching HOPE is required to abide by the terms of this Notice, or any amended Notice that may follow. Reaching HOPE reserves the right to change the terms of its Notice and to make the new Notice provisions effective for all protected health information that it maintains. When revised, the revised Notice will be posted in Reaching HOPE service delivery sites and will be available upon request.
- C. *Complaints Regarding Privacy Rights.* If you believe Reaching HOPE has violated your privacy rights, you have the right to complain to Reaching HOPE management. To file your complaint, call Dr. Aubrey Austin or Dr. Ambra Born, managers of Reaching HOPE. You also have the right to complain to the United States Secretary of Health and Human Services by sending your complaint to the Office of Civil Rights, U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Room 515F, HHH Bldg., Washington, D.C. 20201. It is the policy of Reaching HOPE that there will be no retaliation for your filing of such complaints.
- D. *Additional Information.* If you desire additional information about your privacy rights at Reaching HOPE, please call Dr. Aubrey Austin or Dr. Ambra Born, privacy officers for Reaching HOPE.
- E. *Effective Date.* This Notice is effective November 1, 2010.
- F. *Confidentiality of Alcohol and Drug Abuse Patient Records.* The confidentiality of alcohol and drug abuse patient records maintained by Reaching HOPE is protected by Federal law and regulations. Generally, Reaching HOPE may not say to a person outside of Reaching HOPE that a patient receives services from Reaching HOPE, or to disclose any information identifying a patient as an alcohol or drug abuser, unless: (1) the patient consents in writing; (2) the disclosure is allowed by a court order; or (3) the disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit, or program evaluation.
- G. Violation of the Federal law and regulations by a program is a crime. Suspected violations may be reported to appropriate authorities in accordance with Federal regulations. Federal law and regulations do not protect any information about a crime committed by a patient either at the program or against any person who works for the program or about any threat to commit such a crime. Federal laws and regulations do not protect any information about suspected child abuse or neglect from being reported under State law to appropriate State or local authorities. (See 42 U.S.C. 290dd-3 and 42 U.S.C. 290ee-3 for Federal laws and 42 CFR Part 2 for Federal regulations.)