

Appendix C

Notice of Privacy Practices

THIS NOTICE DESCRIBES HOW INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED, BY FAMILY PROMISE OF BARRY COUNTY, AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY. This notice is being provided to you pursuant to the federal law known as the Health Insurance Portability and Accountability Act (“HIPAA”).

Who Will Follow This Notice

This notice describes the information practices of Family Promise of Barry County (FPBC) which is the “covered entity”, and that of any third party that handles your protected information while assisting in the administration of FPBC’s business operations. FPBC’s processes have been amended to incorporate the requirements of this notice.

Our Pledge Regarding the Uses and Disclosures of Your Information

We understand that information about you and your health is personal. We are committed to protecting this information about you. We create a record of the services you receive, for preparing individual plans, checking progress and billing purposes. This notice applies to all of the records we maintain. This notice will tell you about the ways in which we may use and disclose information about you. It also describes our obligations and your rights regarding the use and disclosure of information.

We are required by law to:

- ★ Make sure information that identifies you is kept private;
- ★ Give you a copy of this notice or access to a copy and
- ★ Follow the terms of the notice that is currently in effect.

How We May Use and Disclose Information About You

The following information describes different ways that we use and disclose information. For each category of uses or disclosures we will explain what we mean and present some examples. Not every use or disclosure in a category will be listed. However, all of the ways we are permitted to use and disclose information will fall within one of the categories.

For Providing Services: We may use and disclose information about you to facilitate services including medical care by providers. We may disclose information about you to providers, including case managers, involved in assisting you.

For Payment: We may use and disclose information about you to determine eligibility for benefits, to facilitate payment for the services you receive. For example, we may tell your case management provider about a need for personal adjustment counseling to learn if they will cover the service.

For Human Services Operations: We may use and disclose information about you for other operations. The uses and disclosures are necessary to run the mission services of the business. For example, we may use information in connection with - conducting quality assessment and improvement activities; legal services, audit services, and fraud and abuse detection programs; business planning and development such as cost management; and business management and general administrative activities.

To Community Partners: We may contract with individuals and entities known as Community Partners to perform various functions or provide certain services. In order to perform these functions or provide these services, Community Partners may receive, create, maintain, use and/or disclose your information, but only after they sign an agreement with us requiring them to put in place appropriate safeguards to protect your information. For example, we may disclose your information to a Community Partner to provide support services, but only after the Community Partner enters into a Community Partner Agreement with us.

As Required by Law: We will disclose information about you when required to do so by federal, state or local law. For example, we must disclose information when required by a court order in a litigation proceeding.

To Avert a Serious Threat to Health or Safety: We may use and disclose information about you when necessary to prevent a serious threat to your health

and safety or the health and safety of the public or other person. Any disclosure, however, would only be to someone able to help prevent the threat.

Special Situations

Military and Veterans: If you are a member of the armed forces, we may release medical information about you as required by military command authorities. We may also release medical information about foreign military personnel to the appropriate foreign military authority.

Workers Compensation: We may release medical information about you for your workers' compensation or similar programs. These programs provide benefits for work-related injuries or illnesses.

Public Health Risks: We may disclose medical information about you to public health activities, such as to prevent or control disease, injury or disability, report of births and deaths, or to notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition.

Health Oversight Activities: We may disclose medical information to a health oversight agency for activities authorized by law. These oversight activities included, for example, audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.

Law Enforcement: We may release information if asked to do so by a law enforcement official -

- ★ In response to a court order, subpoena, warrant, summons or similar process;
- ★ To identify or locate a suspect, fugitive, material witness, or missing person;
- ★ About the victim of a crime if, under certain limited circumstances, we are unable to obtain the person's agreement;
- ★ About a death we may believe may be the result of criminal conduct;
- ★ About criminal conduct at FPBC; and
- ★ In emergency circumstances to report a crime; the location of the crime or victims; or the identity, description or location of the person who committed the crime.

Coroners, Medical Examiners and Funeral Directors: We may release medical information to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death.

National Security and Intelligence Activities: We may release information about you to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.

Your Rights Regarding Information About You

You have the following rights regarding information we maintain about you:

Right to Access: You have the right to request access, from FPBC or its community partners, to your protected information containing your records used to make decisions about services. This includes the right to inspect information in both electronic and paper systems. Also you have the right to a copy of the information in your desired format (including paper and electronic). You must submit a request for access in writing to the Executive Director and we will respond to your request in no more than 30 days from the date of your written request. If you request a copy of the information, we may charge a reasonable fee for the costs of copying, mailing or other supplies associated with your request. We may deny your request to inspect and copy in certain circumstances. If you are denied access to this information, you may request that the denial be reviewed.

Right to Amend: If you feel that the information we have about you is incorrect or incomplete, you may ask us, or our community partner, to amend the information. You have the right to request an amendment for as long as the information is kept by or for FPBC. To request an amendment, your request must be made in writing and submitted to the Executive Director. In addition, you must provide a reason that supports your request. We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that: is not part of the information kept by or for FPBC. For example, information in your record where FPBC was not the original source.

- ★ Was not created by us, unless the person or entity that created the information is no longer available to make the amendment;
- ★ Is not part of the information which you would be permitted to inspect and copy; or
- ★ Is accurate and complete. FPBC reserves the right to make an annotation for you in your record.

Right to an Accounting of Disclosures: You have the right to request, from FPBC or its community partners, an “accounting of disclosures” of your protected information if the disclosure was made for any purpose other than provide services, payment, or business operations. To request this list of accounting disclosures, you must submit your request in writing to the Executive Director. Your request must state a time period which may not be longer than six years previous to your request. Your request should indicate in what form you want the list (paper or electronic). The first list you request within a 12 month period will be free. For additional lists, we may charge you for the reasonable costs of providing the list. We will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred.

Right to Request Restrictions: You have the right to request restriction or limitation on the medical and services information we use or disclose about you for providing services, payment or business operations. You also have the right to request a limit on the medical and services information we disclose about you to someone who is involved in your services or the payment for your services, like a family member or friend. For example, you could ask that we not use or disclose information about a functional assessment you had. We are not required to agree to your request if it adversely affects your services. If you pay for a service or health care item out-of-pocket in full, you can ask us not to share that information for the purpose of payment or our operations with your health insurer. We will say “yes” unless a law requires us to share that information. To request restrictions, you must tell us -

- ★ what information you want to limit;
- ★ whether you want to limit our use, disclosure, or both; and
- ★ to whom you want the limits to apply, for example, disclosures to your spouse.

Right to Request Confidential Communications: You have the right to request we communicate with you about medical or other sensitive matters in a certain way or at a certain location. 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 the Executive Director. We will not ask you the reason for your request. We will accommodate all reasonable requests that do not substantially impede delivery of effective services. Your request must specify how or where you wish to be contacted.

Right to a Copy of this Notice: If you received this notice electronically, you have a right to a paper copy of this notice. You may ask us to give you a paper

copy of this notice at any time. To obtain a paper copy of this notice, contact your FPBC case manager. A link to our FPBC public website homepage (<https://www.familypromisebarrycounty.org/>) is also available to view and/or download the latest version of this notice.

Breach Notification Requirements

In the event unsecured protected information is compromised, we will notify you of the situation. We will also advise you of any steps you should take to protect yourself against potential harm due to the breach. We will also inform HHS and take any other steps to reduce the risk, including those as required by law.

Changes to this Notice

We reserve the right to change this notice. We reserve the right to make the revised or changed notice effective for information we already have about you as well as any information we receive in the future.

Other Uses of Information

Other uses and disclosures of your protected information not identified by this notice or the laws that apply to us will be made only with your written permission. For instance:

- ★ **Fundraising** - Before we can make contacts about you to raise funds, we must explain our intention and inform you that you have the right to opt out of receiving such communications.
- ★ **Marketing** - Uses and disclosures of your protected information for marketing and public relations purposes.
- ★ **Psychotherapy** - Most uses and disclosures of psychotherapy notes if applicable to services provided to you and recorded by FPBC.
- ★ **Selling Information** - Disclosures that constitute a sale of your protected information. If you provide permission to use or disclose information about you, you may revoke that permission, in writing, at any time. If you revoke your permission, we will no longer use or disclose protected information about you for the reasons covered by your written authorization. You understand that we have already made with your permission, and that we are required to retain your records of the services that we provided to you.

Grievances

If you believe your privacy rights have been violated, you may file a grievance with FPBC and contact the Executive Director. All grievances must be submitted in writing. You will not be penalized for filing a grievance. You may also file a grievance with the Secretary of the U.S Department of Health and Human Services.

Effective Date: This notice is effective on August 1st, 2022

If you have any questions about this notice, please contact FPBC and ask for the Executive Director at: (269) 256-4594.