



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.

PRIVACY NOTICE

Privacy is a very important concern for all those who come to this agency. BVCASA understands that medical information about you and your health is personal. We are committed to protecting this information. When you receive services from BVCASA a medical record is created. This record describes the services provided to you and is needed to provide you with quality care and to comply with certain legal requirements.

This notice tells you about your privacy rights, BVCASA's duty to protect health information that identifies you, and how this agency may use or disclose health information that identifies you without your written permission. This notice does not apply to health information that does not identify you or anyone else. We are also required to tell you about this because of the privacy regulations of a federal law, the Health Insurance Portability and Accountability Act of 1996 (HIPAA). If you have any questions our Privacy Officer will be happy to help you. You or anyone else can also get a copy of the Privacy Notice from our Privacy Officer at any time and it will also be posted on our web-site at www.bvcasa.org.

What We Mean by Your Medical Information

Each time you visit any doctor's office or hospital, clinic, us or any other "healthcare provider", information is collected about you and your physical and mental health. It may be information about your past, present or future health or conditions, or the treatment or other services you obtained from us or from others, or about payment for healthcare. The information we collect from you is called, in the law, PHI that stands for **Protected Health Information**. This information goes into your medical or healthcare record or file at the relevant office. At this agency, PHI is likely to include your history, reasons you came for treatment, diagnoses, treatment plan, progress notes, legal matters, medication, etc.

Your Privacy Rights

Right to Inspect and Copy

You have the right to inspect and copy information in your medical record. This right does not extend to any psychotherapy notes. To inspect and/or get a copy of your medical record you must submit your request in writing to the custodian of medical records. You may be required to pay copying costs.

Right to Amend

If you feel that information about you is incorrect, you may ask us to amend the record. To request an amendment, the request must be made in writing. In addition, you must provide a reason that supports your request. BVCASA is not obligated to comply with your request to amend your record.

Right to an Accounting of Disclosures

You have the right to request an "accounting of disclosures". This is a list of disclosures that we have made about you. To request an accounting, the request must be made in writing. Certain time restrictions apply to a request for accounting of disclosures as well as the specification of the method for receiving the information.

Right to Request Restrictions

You have the right to request limits on the use of your medical information for either treatment, payment or health care operations. You also have the right to request a limit on medical information we disclose to someone who is involved in your care or the payment of your care such as a family member or friend. To request restrictions, the request must be made in writing. *We are not required to agree to your request.* If

we do agree, we will comply with your restrictions unless the information is needed to provide emergency treatment.

Right to Request Confidential Communications

You have the right to request that we communicate with you about medical 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. Your request must specify how or where you wish to be contacted. We will accommodate all reasonable requests. To request restrictions, the request must be made in writing.

Right to a Paper Copy of This Notice

You have the right to a paper copy of this notice. You may also obtain a copy of this notice at our website, www.bvcasa.org.

BVCASA's Duty to Protect Health Information that Identifies You

HIPAA requires BVCASA to protect the privacy of health information that identifies you. It also requires BVCASA to give you this Notice of its legal duties and privacy practices. Additionally, BVCASA must abide by another federal law 42 CFR Part 2, which governs confidentiality of substance abuse records. This law is more restrictive in some instances than HIPAA and takes precedence over HIPAA.

- In most situations, BVCASA may not use or disclose health information that identifies you without your written permission. This Notice explains when BVCASA may use or disclose health information that identifies you without your permission.
- For all other uses and disclosures, BVCASA must obtain your written permission, which you may withdraw at any time.
- BVCASA employees must protect the privacy of health information that identifies you as part of their jobs with the Agency. BVCASA does not give employees access to health information unless they need it for a business reason. Business reasons for needing access to health information include making benefit decisions, paying bills, and planning for the care you need. The Agency will discipline employees who do not protect the privacy of health information that identifies you.

When BVCASA May Use and Disclose PHI Without Your Written Consent

For Treatment

Your medical information is shared with the treatment team members involved in your care. This is done so the treatment team can accurately diagnose and care for you. Information may also be disclosed to physicians, organizations or individuals outside of BVCASA but who are also parts of your treatment team.

For Payment

BVCASA may use or disclose health information about you to pay or collect payment for your health care. We may contact your insurance company to check on exactly what your insurance covers. We may have to tell them about your diagnoses, what treatments you have received, and what we expect as we treat you. We will need to tell them about when we met, your progress, and other similar things.

For Health Care Operations

BVCASA may use or disclose health information about you for health care operations. Health care operations include:

- Conducting quality assessment and improvement activities;
- Reviewing the competence, qualifications, and performance of health care professionals or health plans;
- Training health-care professionals and others;
- Conducting accreditation, certification, licensing, or credentialing activities;
- Carrying out activities related to the creation, renewal, or replacement of a contract for health insurance or health benefits;
- Providing medical review, legal services, or auditing functions;
- Engaging in business management or the general administrative activities of BVCASA; and
- To government health agencies so they can study disorders and treatments and make plans for services that are needed. Your name and identity will be removed from information we provide to them.

For Health Oversight Activities

BVCASA may use or disclose health information about you for health oversight activities. A health oversight agency must be a government agency or someone acting on behalf of a government agency. Health oversight activities include but are not limited to investigating:

- Fraud
- Whether or not BVCASA is providing good care; or
- Whether or not BVCASA is committing abuse, neglect or exploitation of clients.

For Victims of Abuse or Neglect

BVCASA must report suspected child abuse. The agency will not disclose information that identifies you as seeking or receiving substance abuse services.

For Other Uses in Healthcare

- Appointment Reminders – We may use and disclose medical information to reschedule or remind you of appointments for treatment or other care. If you want us to call or write to you only at your home or your work or prefer some other way to reach you, we usually can arrange that. Just tell us.
- Treatment Alternatives – We may use and disclose your PHI to tell you about or recommend possible treatments or alternatives that may be of interest to you.
- Other Benefits and Services – We may use and disclose your PHI to tell you about health-related benefits or services that may be of interest to you.
- Research – We may use and disclose health information about you for research if a research board approved the use. The Board will ensure that your privacy is protected.
- Business Associates – We may enter into a Qualified Service Organization (QSO) agreement with entities that provide services for the agency (e.g., data processing, medical legal, etc.). These entities must agree to protect your privacy.
- Medical Emergencies – We may disclose information about you to medical personnel to the extent necessary to meet a bona fide medical emergency.
- Judicial Proceedings & Law Enforcement – We will only disclose information authorized by an appropriate order of a court of competent jurisdiction.
- Crime – We may report crime on our premises and program personnel who are victims of crime. Information is limited to circumstances, name & address, and last known location.
- Deceased Clients – We may only disclose information to report cause of death or with authorization from your legal representative.
- Marketing & Fundraising – We may use your information without your written consent.

Changes to This Notice

We are required by law to maintain the privacy of protected health information, to provide a notice of our legal duties and privacy practices and to abide by the terms of the notice currently in effect. We reserve the right to change this notice. We reserve the right to make the revised or changed notice effective for medical information we already have about you as well as any information we receive in the future. We will post a copy of the current notice in each of our facilities. The notice will contain the effective date. A copy of the current notice will be made available to you each time you register for treatment or services.

Questions or Complaints?

If you believe your privacy rights have been violated, you may file a complaint with BVCASA or with the Secretary of the U.S. Department of Health and Human Services. To file a complaint with BVCASA, contact our Privacy Officer, 405 W 28th St., Bryan, Texas, 77803 (979-823-5300). To file a complaint with the Secretary of the U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Washington, D.C. 20201. All complaints must be submitted in writing. You will not be penalized for filing a complaint.