

# NOTICE OF PRIVACY PRACTICES FOR PEOPLE INCORPORATED

YOUR INFORMATION | YOUR RIGHTS | OUR RESPONSIBILITY

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*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.*

## Your Rights

**When it comes to your health information, you have certain rights.** This section explains your rights and some of our responsibilities to help you.

### 1. Get an electronic or paper copy of your medical record

- You can ask to see or get an electronic or paper copy of your medical record and other health information we have about you. Ask us how to do this.
- We will provide a copy or a summary of your health information, usually within 30 days of your request. We may charge a reasonable, cost-based fee.
- If you ask to see or receive a copy of your record for purposes of reviewing current medical care, we may not charge you a fee.
- If you request copies of your patient records, or records are requested on your behalf, for purposes other than reviewing your current care, we may charge you specified fees. If you have questions about our fees, please ask us.

### 2. Ask us to correct your medical record

- You can ask us to correct health information about you that you think is incorrect or incomplete. Ask us how to do this.
- We may say “no” to your request, but we’ll tell you why in writing within 60 days.

### 3. Request confidential communications

- You can ask us to contact you in a specific way. For example, you may request that we call only your home or cellular phone number, or that we send your mail to a different address.
- We will say “yes” to all reasonable requests.

### 4. Ask us to limit what information we use or share

- Minnesota law requires your consent for us to use or share your health information for treatment, payment, and operations purposes.

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- You can ask us not to use or share certain health information for treatment, payment, or our operations (TPO). We are required to agree to your request, and we may not disclose your health information for treatment, payment, or operations without your consent.
- 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.

## 5. Get a list of those with whom we’ve shared information

- You can ask for a list (i.e. accounting) of the times we’ve shared your health information for six years prior to the date you ask, who we shared it with, and why.
- We will include all disclosures except for those where you or your guardian consented to disclosing the information. We’ll provide one accounting a year for free, but we will charge a reasonable, cost-based fee if you ask for another one within 12 months.

## 6. Get a copy of this privacy notice

- You can ask for a paper copy of this notice at any time, even if you have agreed to receive the notice electronically. We will provide you with a paper copy promptly.

## 7. 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.

## 8. File a complaint if you feel your rights are violated

- You can complain if you feel we have violated your rights by contacting us at [legalandcompliance@peopleincorporated.org](mailto:legalandcompliance@peopleincorporated.org) or by calling our Legal and Compliance Hotline at 612-623-1173.
- You can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 1-877-696-6775, or visiting [www.hhs.gov/ocr/privacy/hipaa/complaints/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/).
- We will not retaliate against you for filing a complaint.

## 9. Confidentiality of substance use disorder records

- Federal law and regulations protect the confidentiality of substance use disorder (SUD) patient records.
- 42 CFR Part 2 protects your health information if you are applying for or receiving services, including diagnosis, treatment, or referral, for substance use disorder.
- If you are receiving or applying for services for SUD, we may not acknowledge to a person outside of the program that you attend the program except under certain circumstances that are listed in this notice.
- Generally, we may disclose information identifying you as applying for or receiving SUD services in the following circumstances:
  - You consent in writing.
  - The disclosure is required by a court order that meets the requirements of 42 CFR Part 2.

- The disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit, or program evaluation.
- Information related to your commission of a crime on the premises of one of our substance use disorder programs or against our personnel is not protected.
- Reports of suspected child abuse and neglect made under state law to appropriate state or local authorities are not protected.
- Violation of the federal law and regulations by a Part 2 program is a crime and suspected violations may be reported to the appropriate 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.

## Your Choices

### 1. Request us not to share

- **For certain health information, you can tell us your choices about what we share.** If you have a clear preference for how we share your information in the situations described below, talk to us. Tell us what you want us to do, and we will follow your instructions
  - In these cases, you have both the right and choice to tell us to:
    - Share information with your family, close friends, or others involved in your care
    - Share information in a disaster relief situation

*If you are not able to tell us your preference, for example if you are unconscious, we may go ahead and share your information if we believe it is in your best interest. We may also share your information when needed to lessen a serious and imminent threat to health or safety.*

### 2. Will never share without permission

- In these cases we never share your information unless you give us written permission:
  - Marketing purposes
  - Sale of your information

### 3. Fundraising

- We may contact you for fundraising efforts, but you can tell us not to contact you again.

## Our Uses and Disclosures

### How do we typically use or share your health information?

We need your consent before we disclose protected health information for treatment, payment, and operations purposes, unless the disclosure is to a related entity, or the disclosure is for a medical emergency and we are unable to obtain your consent due to your condition or the nature of the medical emergency. We typically use or share your health information in the following ways:

#### 1. Treat you

We can use your health information and share it with other professionals who are treating you if we have your consent. We can only release your health records to health care facilities and providers outside our network

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without your consent if it is an emergency and you are unable to provide consent due to the nature of the emergency. We may also share your health information with a provider in our network.

*Example: A doctor treating you for an injury asks another doctor about your overall health condition.*

## 2. Run our organization

We can use and share your health information to run our practice, improve your care, and contact you when necessary. We are required to obtain your consent before we release your health records to other providers for their own health care operations.

*Example: We use health information about you to manage your treatment and services.*

## 3. Bill for your services

We can use and share your health information to bill and get payment from health plans or other entities only if we obtain your consent.

*Example: We give information about you to your health insurance plan so it will pay for your services.*

## How else can we use or share your health information?

We are allowed or required to share your information in other ways – usually in ways that contribute to the public good, such as public health and research. We have to meet many conditions in the law before sharing your information for these purposes. Visit: [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html).

### 1. Help with public health and safety issues

We can share health information about you for certain situations such as:

- Preventing disease
- Helping with product recalls
- Reporting adverse reactions to medications
- Reporting suspected abuse, neglect, or domestic violence
- Preventing or reducing a serious threat to anyone's health or safety

### 2. To do research

We can use or share your information for health research if you do not object.

### 3. Comply with the law

We will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we're complying with federal privacy law.

### 4. Respond to organ and tissue donation requests

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We can share health information about you with organ procurement organizations only with your consent.

## 5. Work with a medical examiner or funeral director

We can share health information with a coroner, medical examiner, or funeral director when an individual dies. We need consent to share information with a funeral director.

## 6. Address workers' compensation, law enforcement, and other government requests

We can use or share health information about you:

- For workers' compensation claims
- For law enforcement purposes or with a law enforcement official with your consent, unless required by law.
- With health oversight agencies for activities authorized by law
- For special government functions such as military, national security, and presidential protective services with your consent, unless required by law.

## 7. Respond to lawsuits and legal actions

We can share health information about you in response to a court or administrative order, or in response to a subpoena.

## 8. Other state law

In Minnesota, we need your consent before we disclose protected health information for treatment, payment, and operations purposes, unless the disclosure is to a related entity, or the disclosure is for a medical emergency and we are unable to obtain your consent.

## Our Responsibilities

### 1. Maintain Privacy and Security

We are required by law to maintain the privacy and security of your protected health information.

### 2. Inform of breach

We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.

### 3. Follow Notice Practices

We must follow the duties and privacy practices described in this notice and give you a copy of it.

We will not use or share your information other than as described here unless you tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you change your mind.

For more information: [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html).

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## Changes to the Terms of this Notice

We can change the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available upon request, in our office, and on our web site.

## Other Instructions for Notice

- Effective Date of this Notice is June 9, 2020
- Privacy Officer, [legalandcompliance@peopleincorporated.org](mailto:legalandcompliance@peopleincorporated.org), phone number 612-623-1173.