

## **PENFIELD CHILDREN'S CENTER - NOTICE OF PRIVACY PRACTICES**

Effective Date: September 1, 2013

### **THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOUR CHILD MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.**

If you have any questions about this notice, please contact HIPAA Compliance Officer, 414-344-7676.

### **WHO WILL FOLLOW THIS NOTICE**

This notice describes Penfield Children's Center's (PCC) practices and that of:

- Any authorized PCC staff that enters information into your child's clinical record.
- Any PCC volunteer we allow to help while your child is at PCC.
- All employees, staff and other PCC personnel.

### **OUR PLEDGE REGARDING MEDICAL INFORMATION**

We understand that medical information about you and your child's health is personal. We are committed to protecting medical information about you and your child. We create a record of the care and services your child receives at PCC. We need this record to provide your child with quality care and to comply with certain legal requirements. This notice applies to all of the records of your child's care generated by PCC, or by PCC personnel.

This notice will tell you about the ways in which we may use and disclose medical information about your child. We also describe your rights and certain obligations we have regarding the use and disclosure of medical information.

We are required by law to:

- Make sure that medical information that identifies your child is kept private;
- Give you this notice of our legal duties and privacy practices with respect to medical information about you and your child; and
- Follow the terms of the notice that is currently in effect.

### **HOW WE MAY USE AND DISCLOSE MEDICAL INFORMATION ABOUT YOU AND YOUR CHILD**

The following categories describe different ways that we use and disclose medical information. For each category of uses or disclosures we will explain what we mean. 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 Treatment. We may use medical information about you and your child to provide your child with medical treatment or services. We may disclose medical information about your child to nurses, therapists, service coordinators, transportation, special education teachers, parent mentors, childcare teachers, social workers, and other staff involved in taking care of your child at PCC. Different departments of PCC also may share medical information about your child in order to coordinate the various services provided by PCC. We also may disclose medical information about your child to people outside of PCC who may be involved in your child's medical care.

[Hospitals, health care agencies consulting physicians, primary health care providers, home health care agencies, governmental agencies, public school systems, DME vendors, third party payers, attorneys, other birth-to-three agencies, student placements, practicum, work study students, acting custodian of the child, and transportation vendors.]

- For Payment. We may use and disclose medical information about your child so that the treatment and services your child receives at PCC may be billed to, and payment may be collected from an insurance company or a third party. We may also tell your health plan about a treatment your child is going to receive to obtain prior approval or to determine whether your plan will cover the treatment.
- For Health Care Operations. We may disclose medical information about you and your child for accreditation, certification and quality assurance. We may remove information that identifies you and your child from this set of medical information so others may use it to study health care and health care delivery without learning who the specific patients are.
- Appointment Reminders. We may use and disclose medical information to contact you as a reminder that your child has an appointment for services provided by PCC personnel.
- For workers' compensation purposes. We may disclose protected health information to workers' compensation insurers, State administrators, employers, and other persons or entities involved in workers' compensation systems.

- Treatment Alternatives. We may use and disclose medical information to tell you about or recommend possible treatment options or alternatives that may be of interest to you and your child.
- Research. Under certain circumstances, we may use and disclose medical information about you and your child for research purposes. We will always ask for your specific permission if the researcher will have access to your name, address or other information.
- As Required By Law. We will disclose medical information about you and your child when required to do so by Federal, State or local law.
- To Avert a Serious Threat to Health or Safety. We may use and disclose medical information about your child when necessary to prevent a serious threat to your child's health and safety or the health and safety of the public or another person.

### **SPECIAL SITUATIONS**

- Public Health Risks. We may disclose medical information about your child for public health activities. These activities generally include the following:
  - To prevent or control disease, injury or disability;
  - To report deaths;
  - To report child abuse or neglect;
  - To report reactions to medications or problems with products;
    - To notify people of recalls of products they may be using;
    - 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;
    - To notify the appropriate government authority if we believe a patient has been the victim of abuse, neglect or domestic violence. We will only make this disclosure if you agree or when required or authorized by law.
- Health Oversight Activities. We may disclose medical information to a health oversight agency for activities authorized by law. These oversight activities include, 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.

- Lawsuits and Disputes. If you or your child are involved in a lawsuit or a dispute, we may disclose medical information about your child in response to a court or administrative order. We may also disclose medical information about your child in response to a subpoena, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.
- Law Enforcement. We may release medical 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 believe may be the result of criminal conduct;
  - About criminal conduct at PCC; 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. We may also release medical information about clients to funeral directors as necessary to carry out their duties.
- National Security and Intelligence Activities. We may release medical information about you and your child to authorized Federal officials for intelligence, counterintelligence, and other national security activities authorized by law.

**YOUR RIGHTS REGARDING MEDICAL INFORMATION ABOUT YOU AND YOUR CHILD.**

You have the following rights regarding medical information we maintain about you and your child:

- Right to Inspect and Copy. You have the right to inspect and copy medical information that may be used to make decisions about your child's care. This includes medical and billing records.

To inspect and copy medical information that may be used to make decisions about your child, you must submit your request in writing to Executive Assistant, Penfield Children's Center, 833 N. 26<sup>th</sup> Street, Milwaukee, WI 53233. If you request a copy of the information, we may charge a 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 very limited circumstances. If you are denied access to medical information, you may request that the denial be reviewed. Another licensed health care professional chosen by PCC will review your request and the denial. The person conducting the review will not be the person who denied your request. We will comply with the outcome of the review.

- Right to Amend. If you feel that medical information we have about your child is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is kept by or for PCC.

To request an amendment, your request must be made in writing and submitted to Director of Health Services, Penfield Children's Center, 833 N. 26<sup>th</sup> Street, Milwaukee, WI 53233. 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:

- Was not created by us, unless the person or the entity that created the information is no longer available to make the amendment;
- Is not part of the medical information kept by or for PCC;
- Is not part of the information which you would be permitted to inspect and copy; or
- Is accurate and complete.

- Right to an Accounting of Disclosures. You have the right to request an "accounting of disclosures". This is a list of the disclosures we made of medical information about your child.

To request this list or accounting of disclosures, you must submit your request in writing to Executive Assistant, Penfield Children's Center, 833 N. 26<sup>th</sup> Street, Milwaukee, WI 53233. Your request must state a time period, which may not be longer than six years and may not include dates before April 14, 2003. Your request should indicate in what form you want the list (for example, on paper, electronically). The first list you request within a 12-month period will be free. For additional lists, we may charge you for the 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.

We are not required to agree to your request. If we do agree, we will comply with your request unless the information is needed to provide you emergency treatment.

To request restrictions, you must make your request in writing to Director of Health Services, Penfield Children's Center, 833 N. 26<sup>th</sup> Street, Milwaukee, WI 53233. In your request, you must tell us (1) what information you want to limit; (2) whether you want to limit our use, disclosure or both; and (3) to whom you want the limits to apply, for example, disclosures to your spouse.

- Request to a Paper Copy of This Notice. You have the right to a paper copy of this notice. You may ask us to give you a copy of this notice at any time. Even if you have agreed to receive this notice electronically, you are still entitled to a paper copy of this notice.

You may obtain a copy of this notice at our website, <http://www.penfieldchildren.org/privacy.htm>

To obtain a paper copy of this notice call the Executive Assistant, 414-344-7676.

- Right to receive confidential communications. You have the right to receive confidential communications of protected health information, presuming such request

is reasonable, by alternative means  
or at alternative locations.

### **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 medical information we already have about you and your child, as well as any information we receive in the future. We will post a copy of the current notice in PCC. The notice will contain on the first page, in the top left-hand corner, the effective date. We will offer you a copy of the current notice each time your child starts the intake process.

### **COMPLAINTS**

If you believe your privacy rights have been violated, you may file a complaint with PCC or with the Secretary of the Department of Health and Human Services. To file a complaint with PCC, contact HIPAA Compliance Officer, Penfield Children's Center, 833 N. 26<sup>th</sup> Street, Milwaukee, WI 53233. All complaints must be submitted in writing.

**Family members or PCC staff will not be penalized for filing a complaint.**

### **OTHER USES OF MEDICAL INFORMATION**

Other uses and disclosures of medical information not covered by this notice or the laws that apply to us will be made only with your written permission. If you provide us permission to use or disclose medical information about you and your child, you may revoke that permission, in writing, at any time. If you revoke your permission, we will no longer use or disclose medical information about you and your child for the reasons covered by your written authorization. You understand that we are unable to take back any disclosures we have already made with your permission, and that we are required to retain our records of the care that we provided to your child.

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