

Policy Name	Confidentiality and Right to Privacy
Relevant Policy	DHHS 0.0305, 0.0306 COA - FIN GOV ETH
Applicable to	All Staff, Board Members and Volunteers
Effective Date	07/01/2008
Date(s) of Revision	3/23/2009, 02/28/2012, 08/15/2012

Confidentiality of Client Information:

Program or service participants in a service or program provided by the Children’s Center will explain your privacy rights. The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a federal law that protects your private health information.

The Children’s Center of Surry is required by law to maintain the privacy of protected health information.

This privacy rule creates national standards to protect your medical records and other personal health information.

-) It gives you more control over their health information.
-) It sets boundaries on the use and release of health records.
-) It establishes appropriate safeguards that organizations must achieve to protect the privacy of health information.
-) It holds violators accountable, with civil and criminal penalties that can be imposed if they violate your privacy rights.
-) It strikes a balance when public responsibility requires disclosure of some forms of data – for example, to protect public health.

Information Protected:

All medical records and other identifiable health information used or disclosed by the Children’s Center of Surry in any form, whether electronically, or on paper, or orally are covered by these standards. This includes, but is not limited to: name, address, phone numbers, social security number, Medicaid ID number, diagnosis, and service dates. The Children’s Center does not use pictures or other promotional materials which identify juveniles in the program.

Sometimes the law allows that your information may be shared without your permission:

-) When it is in your best interest and will not harm you, your closest relative or guardian may be told. If you are under 18, your parent or guardian may be told unless you are receiving substance abuse services.
-) When a court orders release of your record.
-) If an attorney needs to see your file because of a lawsuit or other legal matter.
-) If you have been committed to a hospital and the hospital needs information to help manage your care.
-) If you are in prison and prison officials need information to continue your treatment.
-) If you have an emergency, your information may need to be shared with the professional treating you.

-) When the physician or other professional who referred you needs information.
-) If you are a danger to yourself or others, or it is believed that you will commit a serious illegal offense or will become violent.
-) If neglect or abuse is suspected, by law, we must report it.

These privacy and confidentiality standards give you significant rights to understand and control how their health information is used.

-) **Right to Notice:** You have a right to adequate notice of the uses and disclosures of protected health information that may be made by the Children’s Center of Surry, of the legal duties of the Children’s Center of Surry with respect to protected information. Notice of use and disclosure is provided through this document and the Children’s center of Surry is required to abide by the terms of this notice. The Children’s Center of Surry reserves the right to change the terms of this notice and to make the new notice provisions effective for all protected health information that it maintains. This notice will be revised as necessary to comply with changes in the law.
-) **Right to Request Restrictions:** You have the right to request restrictions on certain uses and disclosures of protected health information. A request for restriction must be made to the Executive Director and must include: the date of the request, the specific information to be restricted, the person or entity to be restricted from receiving the information and the length of time you would like the information to be restricted. The Children’s Center of Surry is not required to agree to the requested restrictions. A response to your request will be provided to you in writing from the Executive Director within 10 working days.
-) **Right to Receive Confidential Communications:** You have the right to receive communications of protected health information by alternative means. A request for confidential communications may be made to the Executive Director by specifying an address, phone number, or email address.
-) **Right to Inspect and Copy:** Upon request to the Executive Director, you may have access, within 30 days of receipt of request, to review or obtain copies of information in your record. The Executive Director will provide you with exceptions to access if these are applicable. The Executive Director, or a designee, must be present during the review to protect the record and to explain or interpret information generated by the Children’s Center of Surry. If you have questions on information created by another entity, you will be referred to the source of the information.
-) **Right to Amend Protected Health Information:** You have the right to request, in writing to the Executive Director, an amendment of information in your record. This request should contain the date, the location of the information, the specific information to be changed and the reason for the amendment. The Children’s Center of Surry will act upon your request within 30 days and you will be informed of in writing if the request is accepted or denied. If accepted, the Children’s Center of Surry will make the amendment. If the request is denied, the Children’s Center of Surry will provide you with the basis for the denial. You have the right to file a written disagreement with the denial with the Executive Director. You also have the right to request that a copy of your amendment request and the denial be included with any future disclosures of the information.
-) **Right to Receive an Accounting of Disclosure :** A form documenting all disclosures of information is maintained in your record. You can request a copy of that form from the Executive Director.

If you believe that your privacy rights have been violated:

You have the right to file a complaint if you believe that the Children's Center of Surry has not complied with the Federal Standards for Privacy. You have the right to file a complaint directly with the Children's Center of

Surry or with the U. S. Department of Health and Human Services. There will be no intimidation or retaliation against anyone filing a complaint.

Complaints must be filed within 180 days of when the complainant knew or should have known that the act or omission complained of occurred. Complaints must be filed in writing, either on paper or electronically and must describe the acts or omissions believed to be in violation of the applicable standards, requirements or implementations of the Privacy Rules. The complaint should be sent to:

Executive Director

The Children's Center of Surry

P. O. Box 692

Dobson, NC 27017

Phone 336-386-

9144 Or

Office for Civil Rights

U. S. Department of Health and Human Services

Atlanta Federal Center, Suite 3B70

61 Forsyth Street. S.

W. Atlanta, GA 30303-

8909

Phone 404-562-7878