



# **Important Notice of Privacy Practices**

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

**It is important to read and understand this Notice of Privacy Practices before signing the Consent and Acknowledgment Form.**

**If you have any questions about this Notice or would like further information concerning your privacy rights, please contact Oak Hill.**

Gayle C. Wintjen, General Counsel  
Privacy Officer  
Oak Hill  
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## **Notice of Privacy Practices**

**Effective Date: April 14, 2003**

Revised: September 30, 2010

### **Purpose of the Notice of Privacy Practices**

This Notice of Privacy Practices (the “Notice”) is meant to inform you of the uses and disclosures of protected health information (“PHI”) that we may make. It also describes your rights to access and control your protected health information and certain obligations we have regarding the use and disclosure of your protected health information.

Your “protected health information” is information about you created and received by us, including demographic information, that may reasonably identify you and that relates to your past, present or future physical or mental health or condition, including the provision of services and supports, or payment for the provision of your health care.

We are required by law to maintain the privacy of your protected health information. We are also required by law to provide you with notice of our legal duties and privacy practices with respect to your protected health information and to abide by the terms of the Notice that is currently in effect. However, we may change our notice at any time. The new revised Notice will apply to all of your protected health information maintained by us. You will not automatically receive a revised Notice. If you would like to receive a copy of any revised Notice, you should access our web site at [www.ciboakhill.org](http://www.ciboakhill.org) or contact Gayle C. Wintjen, General Counsel or ask the manager at your program location.

### **How We May Use or Disclose Your Protected Health Information**

Oak Hill will ask you to sign a consent form that allows Oak Hill to use and disclose your protected health information for treatment, payment and health care operations. You will also be asked to acknowledge receipt of this Notice.

The following categories describe some of the different ways that we may use or disclose your protected health information. Even if not specifically listed below, Oak Hill may use and disclose your protected health information as permitted or required by law or as authorized by you. We will make reasonable efforts to limit access to your protected health information to those persons or classes of persons, as appropriate, in our workforce

who needs access to carry out their duties. In addition, we will make reasonable efforts to limit the protected health information to the minimum amount necessary to accomplish the intended purpose of any use or disclosure and to the extent such disclosure is limited by law. To the extent practicable, any use, disclosure, or request for PHI is limited to PHI in a “limited data set” as required by the federal government.

- **For Treatment** - We may use and disclose your protected health information to provide you with medical treatment and all habilitative or other services and supports. Your protected health information may be used by the Interdisciplinary Team (IDT) to determine your Overall Plan of Service (OPS) and all other services and supports. It may also be used by all employees of Oak Hill or outside consultants and contractors who provide you with services and supports. If we are permitted to do so, we may also disclose your protected health information to individuals or facilities that will be involved with your care and for other treatment reasons. We may also use or disclose your protected health information in an emergency situation.
- **For Payment** - We may use and disclose your protected health information so that we can bill and receive payment for the treatment and related services you receive. For billing and payment purposes, we may disclose your health information to your payment source, including the Department of Developmental Services, the Department of Social Services, the Department of Children and Families, any other federal, state or local governmental agency, insurance or managed care company, Medicare, Medicaid, or another third party payor.
- **For Health Care Operations** - We may use and disclose your health information as necessary for operations of Oak Hill, such as quality assurance and improvement activities, reviewing the competence and qualifications of staff, medical or programmatic review, legal services and auditing functions, and general administrative activities of Oak Hill. We may also use or disclose your health information for all licensing, regulatory, contractual, investigatory or other functions required or permitted under state or federal law. For example, we may need to disclose your health information to properly train the staff members who will be working with you or to ensure the Department of Developmental Services, or other public agency, that we are complying with all applicable laws, regulations, policies, procedures or contractual provisions.
- **Business Associates** - There may be some services provided by our business associates, such as: a billing service, transcription company or legal or accounting consultants. We may disclose your protected health information to our business associates so that they can perform the job we have asked them to do. To protect your health information, we require our business associates to enter into a written contract that requires them to appropriately safeguard your information.
- **Treatment Alternatives and Other Health-Related Benefits and Services** - We may use and disclose protected health information to tell you about or recommend possible treatment options or alternatives and to tell you about health related benefits, services, or medical or other education classes that may be of interest to you.

- **Fundraising Activities** - We may use information about you to contact your guardian or family members in an effort to raise money for Oak Hill and its operations. The information we release will be limited to your contact information, such as your name, address and telephone number and the dates you received treatment or services at Oak Hill. A description of how to opt out of receiving any further fundraising communications will be included with any fundraising materials you receive from Oak Hill. If you request that your information not be used or disclosed for fundraising purposes, we will make a reasonable effort to ensure that you do not receive future fundraising communications. Oak Hill shall not accept payment, whether directly or indirectly, for sending a marketing communication. If the individual opts out of receiving fundraising communications, Oak Hill will revoke any authorizations it has from the individual to use the individual's protected health information.
- **Individuals Involved in Your Care or Payment of Your Care** - Unless you object, we may disclose your protected health information to a family member, a relative, a close friend or any other person you identify, if the information relates to the person's involvement in your health care or payment related to your health care. In addition, we may disclose your protected health information to a public or private entity authorized by law to assist in a disaster relief effort. If you are unable to agree or object to such a disclosure we may disclose such information if we determine that it is in your best interest based on our professional judgment or if we reasonably infer that you would not object.
- **Public Health Activities** - We may disclose your protected health information to a public health authority that is authorized by law to collect or receive such information such as for the purpose of preventing or controlling disease, injury, or disability, reporting births or deaths, reporting child abuse or neglect, notifying individuals of recalls of products they may be using, notifying a person who may have been exposed to a disease or may be at risk of contracting or spreading a disease or condition.
- **Health Oversight Activities** - We may disclose your protected health information to a health oversight agency for activities authorized by law, such as audits, investigations, inspections, and licensure.
- **Judicial and Administrative Proceedings** - If you are involved in a lawsuit or a dispute, we may disclose your protected health information in response to a court or administrative order. We may also disclose your protected health information in response to a subpoena, discovery request, or other lawful process if such disclosure is permitted by law. We may also disclose your protected health information in an administrative or judicial proceeding in which Oak Hill is a party, including arbitrations and other hearings.
- **Law Enforcement** - We may disclose your protected health information for certain law enforcement purposes if permitted or required by law. For example, to report gunshot wounds; to report emergencies or suspicious deaths; to comply with a court order,

warrant, or similar legal process; or to answer certain requests for information concerning crimes.

- **Coroners, Medical Examiners, Funeral Directors, Organ Procurement Organizations** - We may release your protected health information to a coroner, medical examiner, funeral director, or, if you are an organ donor, to an organization involved in the donation of organs and tissues.
- **To Avert a Serious Threat to Health or Safety** - We may use and disclose your protected health information when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure, however, would be to someone able to help prevent the threat.
- **Military and National Security** - If required by law, we may disclose your protected health information to authorized federal officials for the conduct of lawful intelligence, counter-intelligence, and other national security activities authorized by law. If required by law, we may disclose your protected health information to authorized federal officials so they may provide protection to the President, other authorized persons or foreign heads of state or conduct special investigations.
- **Workers' Compensation** - We may use or disclose your protected health information as permitted by laws relating to workers' compensation or related programs.
- **Special Rules Regarding Disclosure of Psychiatric, Substance Abuse and HIV-Related Information** - For disclosures concerning protected health information relating to care for psychiatric conditions, substance abuse or HIV-related testing and treatment, special restrictions may apply. For example, we generally may not disclose this specially protected information in response to a subpoena, warrant or other legal process unless you sign a special Authorization or a court orders the disclosure.
- Psychiatric information. Certain mental health information may be disclosed for treatment, payment and health care operations as permitted or required by law. Otherwise, we will only disclose such information pursuant to an authorization, court order or as otherwise required by law. For example, all communications between you and a psychologist, psychiatrist or social worker will be privileged and confidential in accordance with Connecticut and Federal law.
- Substance abuse treatment information. If you are treated in a specialized substance abuse program, your permission will be needed for certain disclosures, but not emergencies, certain reporting requirements and other disclosures specifically allowed under Federal law.
- HIV-related information. We will disclose HIV-related information as permitted or required by Connecticut law. For example your HIV-related protected health information, if any, may be disclosed in the event of a significant exposure to HIV-infection to personnel of Oak Hill, another person, or a known partner. Any use and

disclosure for such purposes will be to someone able to reduce the outcome of the exposure and limited in accordance with Connecticut and Federal law.

- **Minors.** We will comply with Connecticut law when using or disclosing protected health information of minors. For example, if you are an unemancipated minor consenting to a health care service related to HIV/AIDS, venereal disease, abortion, or alcohol/drug dependence, and you have not requested that another person be treated as a personal representative, you may have the authority to consent to the use and disclosure of your health information.
- **Other Uses of Medical Information** – Although we will do everything possible to protect the confidentiality of your health information, there may be some limited circumstances in which this information is disclosed in an incidental or inadvertent manner. For example, your housemates or guests may overhear or come across information about you that may be considered protected health information

## **When We May Not Use or Disclose Your Protected Health Information**

Except as described in this Notice, or as permitted by Connecticut or Federal law, we will not use or disclose your protected health information without your written authorization.

Your written authorization will specify particular uses or disclosures that you choose to allow. Under certain limited circumstances, Oak Hill may condition treatment or services on the provision of an authorization, such as research related to treatment. If you do authorize us to use or disclose your protected health information for reasons other than treatment, payment or health care operations, you may revoke your authorization in writing at any time by contacting Oak Hill's Privacy Officer. If you revoke your authorization, we will no longer use or disclose your protected health information for the purposes covered by the authorization, except where we have already relied on the authorization.

### ***Psychotherapy Notes***

A signed authorization or court order is required for any use or disclosure of psychotherapy notes except to carry out certain treatment, payment, or health care operations and for use by Oak Hill for treatment, for training programs, or for defense in a legal action.

### ***Marketing***

A signed authorization is required for the use or disclosure of your protected health information for a purpose that encourages you to purchase or use a product or service except for certain limited circumstances such as when the marketing communication is face-to-face or when marketing includes the distribution of a promotional gift of nominal value provided by Oak Hill. Oak Hill shall not accept payment, whether directly or indirectly, for sending a marketing communication.

## Your Health Information Rights

You have the following rights with respect to your protected health information. The following briefly describes how you may exercise these rights.

- **Right to Request Restrictions of Your Protected Health Information** - You have the right to request certain restrictions or limitations on the protected health information we use or disclose about you. We will honor a request to restrict disclosures to health plans for payment and health care operations when you have paid for the item or service subject to the restriction out of your own pocket. You may request a restriction or revise a restriction on the use or disclosure of your protected health information by providing a written request stating the specific restriction requested and to whom you want the restriction to apply. You can request a restriction request form from Oak Hill's Privacy Officer. We are not required to agree to your requested restriction. If we do agree to accept your requested restriction, we will comply with your request except as needed to provide you with emergency treatment. If restricted protected health information is disclosed to a health care provider for emergency treatment, we will request that such health care provider not further use or disclose the information. In addition, you and Oak Hill may terminate the restriction if the other party is notified in writing of the termination. Unless you agree, the termination of the restriction is only effective with respect to protected health information created or received after we have informed you of the termination.
- **Right to Receive Confidential Communications** - You have the right to request a reasonable accommodation regarding how you receive communications of protected health information. You have the right to request an alternative means of communication or an alternative location where you would like to receive communications. You may submit a request in writing to Oak Hill's Privacy Officer requesting confidential communications. You can request a confidential communications form from Oak Hill's Privacy Officer.
- **Right to Access, Inspect and Copy Your Protected Health Information** - You have the right to access, inspect and obtain a copy of your protected health information that is used to make decisions about your care for as long as the protected health information is maintained by Oak Hill. You may request that electronic health records be sent to another entity or person, provided that the request is clear, conspicuous and specific. To access, inspect and copy your protected health information that may be used to make decisions about you, you must submit you may be required to request in writing to Oak Hill's Privacy Officer. If you request a copy of the information, we may charge a fee for the costs of preparing, copying, mailing or other supplies associated with your request. We may deny, in whole or in part, your request to access, inspect and copy your protected health information under certain limited circumstances. If we deny your request, we will provide you with a written explanation of the reason for the denial. You may have the right to have this denial reviewed by an independent health care professional designated by us to act as a reviewing official. This individual will not have participated in the original decision to deny your request. You may also have the right to

request a review of our denial of access through a court of law. All requirements, court costs and attorney's fees associated with a review of denial by a court are your responsibility. You should seek legal advice if you are interested in pursuing such rights.

- **Right to Amend Your Protected Health Information** - You have the right to request an amendment to your protected health information for as long as the information is maintained by or for Oak Hill. Your request must be made in writing to Oak Hill's Privacy Officer and must state the reason for the requested amendment. You can request a form from Oak Hill's Privacy Officer to request an amendment to your information. If we deny your request for amendment, we will give you a written denial including the reasons for the denial and the right to submit a written statement disagreeing with the denial. We may rebut your statement of disagreement. If you do not wish to submit a written statement disagreeing with the denial, you may request that your request for amendment and your denial be disclosed with any future disclosure of your relevant information.
- **Right to Receive An Accounting of Disclosures of Protected Health Information** - You have the right to request an accounting of certain disclosures of your protected health information by Oak Hill or by others on our behalf. To request an accounting of disclosures, you must submit a request in writing, stating a time period beginning on or after April 14, 2003 that is within six (6) years from the date of your request. The first accounting provided within a twelve-month period will be free. We may charge you a reasonable, cost-based fee for each future request for an accounting within a single twelve-month period. However, you will be given the opportunity to withdraw or modify your request for an accounting of disclosures in order to avoid or reduce the fee. Requests for accountings of disclosures of electronic health records regarding treatment, payment and health care operations will be limited to the three (3) years preceding the request for an accounting.
- **Right to Obtain A Paper Copy of Notice** - You have the right to obtain a paper copy of this Notice, even if you have agreed to receive this Notice electronically. You may request a copy of this Notice at any time by contacting Oak Hill's Privacy Officer or the manager of your program location. In addition, you may obtain a copy of this Notice at our web site, [www.ciboakhill.org](http://www.ciboakhill.org).
- **Right to Complain** - You may file a complaint with us or the Secretary of Health and Human Services if you believe your privacy rights have been violated by us. You may file a complaint with us by notifying our Privacy Officer of your complaint. You will not be penalized for filing a complaint and we will make every reasonable effort to resolve your complaint with you.
- **Right to Receive Notice of Breaches of Unsecured PHI** – You have right to receive notice that your unsecured protected health information may have been used or disclosed to unauthorized parties as a result of a breach of our privacy practices. You will receive this notice within 60 days of discovery of the breach. The notice shall include the following information: (a) what happened, including the date of the breach; (b) the

unsecured PHI subject to the breach; (c) recommended steps for individuals to take to mitigate potential harm; (d) what Oak Hill is doing in response; and (e) contact information, including a postal address or an email address.

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