



## **NOTICE OF PRIVACY PRACTICES**

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

Each time you visit a doctor, hospital, pharmacist, counselor or any other person that provides you health care services, a record of your visit is made. Typically this record contains information about you, such as reasons why you are seeking care, assessments, and a plan for future care and billing information, if applicable. Youth In Need (YIN) creates and maintains personal information when it provides services to you. YIN understands that this information often referred to, as your “medical information” or “health information,” “Protected Health Information” or “personal information” needs to be protected.

YIN is required by law to maintain the privacy of your information, and to provide you with a notice of our legal duties and privacy practices with respect to such information. This Notice of Privacy Practices (Notice) describes your legal rights, advises you of our privacy practices, and lets you know how YIN is permitted to use and disclose your personal information. We will provide / offer you a copy of the current Notice at the time of intake/enrollment into a YIN program. We also post a copy of the current Notice in all of our offices and it is available on our website at <http://www.youthinneed.org/>

YIN is required to abide by the terms of the Notice. In some situations, we may use this information as described in this Notice without your permission (known as an “authorization”), but in most situations, we only share your personal information (outside of YIN) after we obtain your written authorization to do so.

YIN reserves the right to change our privacy practices and revise our Notice. Such changes will be effective immediately and will apply to all personal information regarding your health that we maintain.

### **HOW WE MAY USE AND DISCLOSE YOUR PERSONAL INFORMATION**

The following categories describe different ways that we may use and disclose your personal information, and include some examples to explain such uses and disclosures. Not every use or disclosure in a category will be listed.

Some uses and disclosures of personal information may be subject to additional restrictions under federal and state laws and regulations, such as those that apply to substance abuse treatment, HIV/AIDS testing and treatment, and mental health treatment. Under certain circumstances these federal and state laws will provide your personal information with additional privacy protections beyond what is described in this Notice. For example, if you are receiving alcohol or drug abuse services, information that would identify you as a person seeking help for a substance abuse problem is protected under a separate set of federal regulations known as “Confidentiality of Alcohol and Drug Abuse Patient Records,” 42 CFR. Part 2. We may also be further bound by the counselor-client privilege to protect your personal information.

- For Treatment
  - We may use and disclose your personal information to provide, coordinate and manage the services, supports, and services you receive from us and other providers. We may disclose your personal information to doctors, nurses, mental health providers, social workers, counselors, direct support staff and other persons who are involved in supporting you or providing services to you. We may share your personal information with health care providers when we consult with them about your case management. For example, our employees may discuss your personal information to develop and carry out a treatment plan, and to coordinate services, such as counseling. In most cases, we must obtain a completed and signed “Authorization to Permit Youth In Need to Obtain and Release Information” form from the client/parent/guardian before such information is shared.
- For Payment
  - We may use and disclose your personal information so we can be paid for the services we provide to you. This can include billing a third party, such as Medicare, Medicaid or your insurance company, if applicable. We may also provide your personal information to another health care provider or entity for their payment activities (such as a physician that provides you treatment).
- For Operations
  - We may use and disclose your personal information as necessary for us to operate YIN and to maintain high quality services. For example, we may use your personal information to review the services we provide and the performance of our employees that work with you. It may also be necessary to obtain or share information with licensing, accrediting and other federal, state and local governing agencies, regulatory bodies, and funders. For confidentiality as it relates to Quality Improvement activities, YIN uses various tools including, but not limited to, client databases (primarily Child Plus, Efforts to Outcomes, HMIS/Compass Rose and RHYMIS), outcome questionnaires, surveys and results of file reviews.

Results and reports from these activities are used both internally and externally to continuously monitor progress, to assess areas of risk, and to ensure clients are receiving the greatest possible benefit from services. All data collected is maintained in a secure, confidential manner and all staff and volunteers (as applicable) receive initial and ongoing training on our Confidentiality policies and procedures. Summarized information and statistical data are used for reports to YIN stakeholders, for grant writing, for training and for us to study ways to more efficiently operate our organization.

- There are also some circumstances that we are permitted to disclose your personal information to another health care provider (such as another physician to which we refer you to) for his or her own operations.
- Business Associates
  - We may disclose your personal information to certain individuals and companies that we contract with (our “business associates”) so that they can perform the job that we have contracted with them to do. For example, we may contract with an Information Technology (IT) firm to provide IT support. In that case, staff at the contracted IT firm may have access to YIN electronic records. To protect personal information, business associates sign an agreement with YIN to ensure that they appropriately safeguard your information. Business associates are required to adhere to the same confidentiality standards that all YIN staff are required to adhere to.
- Appointment Reminders, Treatment and Service Alternatives
  - We may use and disclose your personal information to contact you to remind you of an appointment or to contact you about treatment and service alternatives. For example, we may contact you via phone / cell phone / mail / email to remind you about an appointment. Of course, clients provide the contact information to us before services begin and update it periodically as needed.
- Marketing Communications
  - We may use and disclose your personal information to tell you about a product or service to encourage you to purchase the product or service. For example, we may send you a newsletter or other mailing about certain educational programs. We will not, however, sell or distribute your personal information to third parties who do not have a relationship with us unless we have obtained a written authorization from you. For instance, we would not release information or client lists to pharmaceutical companies for those companies’ drug promotions unless we have your written authorization to do so.

- Disclosures to Family and Others
  - We may disclose your personal information to one of your family member's or close personal friends or to any other person identified by you, but we will only disclose information which we feel is relevant to that person's involvement in your care, or the payment for your care (if applicable). If you are able to make decisions about your care, we will follow your directions as to who is sufficiently involved in your care to receive information. If you are not present or cannot make these decisions, we will make a decision based on our experience as to whether it is in your best interest for a family member or friend to receive information about you and how much information they should receive. If there is a family member, other relative, or close personal friend that you do not want us to disclose your personal information to, please notify us.
  - We may disclose your personal information to an entity assisting in disaster relief efforts (for example, the American Red Cross) so your family can be notified about your condition, status and location in an emergency.
- Required by Law
  - We will disclose your personal information when we are required to do so by federal, state and local laws. For example, all YIN staff are mandated reporters and have an obligation to report suspected child abuse and/or neglect to the proper authorities.
- Public Health Activities
  - We may disclose your personal information for public health activities and purposes. For example, we may report personal information to a public health authority that is authorized by law to collect or receive the information for purposes of preventing or controlling disease, neglect, reporting reactions to medications or problems with health care products, or notifying a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition.
- Victims of Abuse, Neglect or Domestic Violence
  - We may disclose personal information to a government authority authorized by law to receive reports of abuse, neglect, or domestic violence, if we have reason to believe that you are a victim of abuse, neglect, or domestic violence. We will make every effort to obtain your permission before releasing this information, but in some cases we may be required or authorized to act without your permission.

- Health Oversight Activities
  - We may disclose personal information to a health oversight agency for activities authorized by law, including audits, investigations, inspections, licensure or disciplinary actions. These and similar types of activities are necessary for appropriate oversight of the health care system, government benefit programs, and entities subject to various government regulations.
- Judicial and Administrative Proceedings
  - We may disclose your personal information if we are ordered to do so by a court of law. We may also disclose your personal information in response to a subpoena, discovery request, or other lawful process, but only if efforts have been made to notify you (as appropriate) and get your consent for (as appropriate), for compliance with the request.
- Disclosures for Law Enforcement Purposes
  - We may disclose your personal information if asked to do so by a properly identified law enforcement official. If the information is protected by 42 CFR Part 2 (the federal law protecting the confidentiality of drug and alcohol abuse treatment records), a court order is required. There are other very limited circumstances when we may disclose personal information to a law enforcement official, such as when law requires us to or if we believe that you present a serious danger, or future threat, to yourself or another identifiable person.
- Uses and Disclosures About Decedents
  - We may release information about a deceased person to a coroner or medical examiner to identify the person, determine the cause of death or perform other duties recognized by law. We may also release a deceased person's personal information to funeral directors as necessary to carry out their duties.
- Organ, Eye or Tissue Donation
  - If you are an organ donor, we may disclose your personal information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs, eyes or tissue.
- Research
  - Under very specific circumstances, we may use or disclose your personal information for research. Before we disclose personal information for research, the research will have gone through an approval process that evaluates the needs of the research project with your needs for privacy of your personal information. YIN may disclose your personal information to

a person who is preparing to conduct research to permit them to prepare for the project, but no personal information will leave YIN during that person's review of the information. Enrollment in most of these research projects can only occur after you have been informed about the study, had an opportunity to ask questions, and indicated your voluntary willingness to participate in the study by signing a consent form. Other studies may be performed using your personal information without requiring your consent. These studies will not affect the services that we provide to you or your welfare, and your personal information will continue to be protected. For example, a research study may involve comparing the response of clients who attend group and family therapy sessions versus those who attend only family therapy.

- To Avert Serious Threat to Health or Safety
  - We may use or disclose your personal information if we believe that you present a serious danger or future threat to yourself or another person, and the use or disclosure is necessary to alert appropriate parties to such danger. In such cases, YIN will only share your information with someone able to help prevent the danger. For example, we may make a disclosure to appropriate parties if a YIN employee determines that you are in a mental or emotional condition where you may be a danger to yourself or others.
- For Specified Government Functions
  - In certain circumstances, federal regulations authorize us to use or disclose your personal information to facilitate specified government functions relating to military and veterans, national security and intelligence activities, protective services, medical suitability determinations, inmates and law enforcement custody. For example, if you are a member of the Armed Forces, we may use and disclose your personal information to appropriate military command authorities for activities they deem necessary to carry out their military mission.
- Workers Compensation
  - We may disclose your personal information as authorized by, and to the extent necessary to comply with, laws relating to workers' compensation or similar programs that provide benefits for work-related injuries and illnesses.
- Inmates
  - If you are an inmate of a correctional institution or under the custody of a law enforcement official, we may release your personal information to the correctional institution or law enforcement official under specific

circumstances such as (1) for the institution to provide you with health care (2) to protect your health and safety or the health and safety of others or (3) for the safety and security of the correctional institution.

- Uses and Disclosure Requiring your Written Permission
  - Other uses and disclosures of your personal information not covered by this Notice or the laws that apply to us will be made only with your specific written permission (sometimes known as an “authorization”). If you provide us permission to use or disclose your personal information, you may revoke that permission, in writing, at any time. If you revoke your permission, we will no longer use or disclose your personal information for the reasons covered by your written permission. 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 you.

## **YOUR RIGHTS WITH RESPECT TO YOUR PERSONAL INFORMATION**

Although your electronic and paper client records are the physical property of YIN, the information contained in the record(s) belongs to you. The following describes your rights with respect to your personal information that we maintain.

- Right to Request Restrictions
  - You have the right to request that we restrict the uses or disclosures of your personal information that we may make to carry out treatment, payment, or operations. You also have the right to request that we restrict the uses or disclosures we make to a family member, other relative, a close personal friend or any other person identified by you. To request a restriction, you may do so at any time. If you request a restriction, you should do so by submitting your request in writing and tell us: (a) what information you want to limit, (b) whether you want to limit use or disclosure or both, and (c) to whom you want the limits to apply (for example, disclosures to your spouse).
  - We are not required to agree to any requested restriction. However, if we do agree, we will follow that restriction unless the information is needed to provide emergency treatment. Even if we agree to a restriction, you can let us know later that you do not want us to continue to comply with your request.
- Right to Receive Confidential Communications
  - You have the right to request that we communicate your personal information to you in a certain way or at a certain location. For example, you can ask that we only contact you by mail or at your work. We will not

require you to tell us why you are asking for the confidential communication. If you want to request confidential communication, you must do so in writing. Your request must state how you can be contacted.

- We will use our best efforts to accommodate all reasonable requests. However, we may, if necessary, require information from you concerning how payment will be handled, if applicable. We also may require an alternate address or alternative way to contact you.
- Right to Inspect and Copy
  - With a few very limited exceptions, you have the right to inspect and obtain a copy of your record that we maintain. To inspect or copy this information, you must submit your request in writing. Your request should state specifically what information in the record you want to inspect or copy. If you request a copy of the information, we may charge a fee for the costs of copying and, if you ask that it be mailed to you, the cost of mailing. We may deny your request to inspect and copy your record in very limited circumstances. For example, psychotherapy notes are not part of your record, and we are not required to provide such notes to you.
- Right to Amend
  - You have the right to request an amendment (correction) to your record if you feel that the information we have about you is incorrect or incomplete. You have the right to request an amendment for as long as we keep the information. To request an amendment, you must submit your request in writing. In addition, you must provide a reason that supports your request. Although you are permitted to request that we amend your personal information, we may deny your request if it is not in writing or does not include a reason to support your request. In addition, we may deny your request if you ask us to amend information that:
    - Was not created by YIN;
    - Is not part of the information that we keep;
    - Is not part of the information which you would be permitted to inspect and/or copy; or
    - Is accurate and complete.
- Right to an Accounting of Disclosures
  - You have the right to an “accounting of disclosures.” An accounting of disclosures is a list of the disclosures of your personal information that we have made, with some exceptions. To request this list, you must submit your request in writing to our Privacy Officer (see page 10 for contact



information). Your request must state a time period, which may not be longer than six years and may not include dates before April 14, 2003. The first list you request within a twelve-month period will be free. For additional lists, we may charge you for the costs of providing the list.

- Right to Copy of this Notice
  - You have the right to obtain a paper or electronic copy of our Notice of Privacy Practices. You may request a copy of our current Notice of Privacy Practices at any time by (1) asking for a copy of the Notice to take with you the next time you visit or receive services from YIN, (2) contacting our Privacy Officer (see page 10). The Notice is also available on our website at: <http://www.youthinneed.org/>
  
- Complaints
  - If you believe your privacy rights have been violated, you can file a complaint with YIN and with the Secretary of the U.S. Department of Health and Human Services.
  - To file a written complaint with YIN, please contact our Privacy Officer (contact information is below).
  - To file a complaint with the Secretary of the U.S. Department of Health and Human Services, send your complaint to: The U.S. Department of Health and Human Services - Office for Civil Rights, 601 East 12th Street - Room 353, Kansas City, Missouri 64106 or call (800) 368-1019.
  
- Questions and Information
  - If you have any questions or want more information concerning this Notice of Privacy Practices, please contact our Privacy Officer.
  
- Privacy Officer Contact Information
  - You may contact our Privacy Officer, April Delehaunty, by phone at (636) 946-5600, in writing at: Youth In Need, 1815 Boone's Lick Road, St. Charles, Missouri 63301 or by email at: [adelehaunty@youthinneed.org](mailto:adelehaunty@youthinneed.org)

**In Effect since April 14, 2003**