

## **HIPAA Privacy Policy**

# **Notice of Privacy Practices**

This document describes how medical information about you may be used and disclosed and how you can get access to this information. Please review it carefully.

### **You Have The Right To Receive This Notice**

You have the right to receive a paper copy of this notice and/or an electronic copy by email upon request.

### **How To Complain About Our Privacy Practices**

If you think St. Vincent may have violated your privacy rights or you disagree with a decision St. Vincent has made about access to your PHI, you may file a complaint with the contact listed below. You also may file a written complaint with the Secretary of the U.S. Department of Health and Human Services at 200 Independence Avenue SW, Washington D.C., 20201 or call 1-877-696-6775. St. Vincent does not take retaliatory action against persons who make such complaints.

*If you have a question about this notice or any complaints about our privacy practices, please contact an agency representative at:*

St. Vincent

C/O Privacy Officer

7401 Florissant Rd.

St. Louis, MO 63121

### **Our Duty To Safeguard Your Protected Health Information**

Individually identifiable information about your past, present, or future health or condition(s), the provision of health care to you, or payment for health care is considered “Protected Health Information” (PHI). We are required to extend certain protections to your PHI and to give you this notice about our privacy practices that explains how, when and why we may use or disclose your PHI. Except in specified circumstances, we must use or disclose only the minimum necessary PHI to accomplish the intended purpose of the use or disclosure.

We are required to follow the privacy practices described in this notice though we reserve the right to change our privacy practices and the terms of this notice at any time.

You may request a copy of the new notice from St. Vincent.

### **How We May Use And Disclose Your Protective Health Information**

We use and disclose Personal Health Information for a variety of reasons. We have a limited right to use and/or disclose your PHI for purposes of treatment, payment and for our health care operations. For uses beyond that, we must have a person’s written authorization unless the law permits or required us to make the use or disclosure without your authorization. If we disclose your PHI to an outside entity in order for that entity to perform a function on our behalf, we must have in place an agreement from the outside entity that it will extend the same degree of privacy

practices to your information that we must apply to your PHI. However, the law provides that we are permitted to make some uses/disclosures without your consent or authorization. The following describes and offers example of our potential uses/disclosures of your PHI.

*Uses And Disclosures Relating To Treatment, Payment, Or Health Care Operations:*

Generally, we may use or disclose your PHI as follows:

- For Treatment: We may disclose your PHI to doctors, nurses, and other health care personnel who are involved in providing your health care. For example, your PHI will be shared among members of a person's treatment team or with our central program staff. Your PHI may also be shared with outside entities performing ancillary services relating to your treatment, such as psychiatric care or lab work, or for consultation purposes, and/or community mental health agencies involved in the provision or coordination of your care.
- To Obtain Payment & Comply With Funders: We may use/disclose your PHI in order to bill and collect payment for your health care services. For example, we may contact an employer to verify employment status and/or release portions of your PHI to the Medicaid program, the DFS central office, other agencies, and/or a private insurer to get paid for services that were delivered. If the services you receive from St. Vincent are funded by an entity that conducts regular case audits to monitor compliance and eliminate fraud, your records may be inspected by an employee of the funding entity, who is bound by confidentiality.
- For Health Care Operations: We may use/disclose your PHI in the course of your program services. For example, we may use your PHI in evaluating the quality of services provided or disclose your PHI to St. Vincent's accounting colleagues for billing purposes. Since we are an integrated system, we may disclose your PHI to designated colleagues in St. Vincent's other facilities, programs, or offices for similar purposes. Release of your PHI to the state agencies might also be necessary to determine your eligibility for publicly funded services.
- Appointment Reminders: Unless you provide us with alternative instructions, we may send appointment reminder and other similar materials to your home.

*Uses and Disclosures Of PHI Requiring Authorization*

- For uses and disclosures beyond treatment, payment, and operations purposes St. Vincent is required to have your written authorization, unless the use or disclosure falls within one of the exceptions described below. Authorizations can be revoked at any time to stop future uses/disclosures except to the extent that we have already undertaken an action in reliance upon your authorization.
- Any sale of PHI is prohibited without the express written authorization of the individual. As a general rule, St. Vincent does not solicit clients for sale of PHI.

*Uses and Disclosures Of PHI From Mental Health Records Not Requiring Consent Or Authorization*

The law provides that we may use/disclose your PHI from mental health records without consent or authorization in the following circumstances:

- When required by law: St. Vincent may disclose PHI when a law requires that St. Vincent reports information about suspected abuse, neglect, or domestic violence, or relating to suspected criminal activity or in response to a court order. We must also disclose PHI to authorities that monitor compliance with these privacy requirements.
- For public health activities: St. Vincent may disclose PHI when St. Vincent is required to collect information about disease or injury or to report vital statistics to the public health authority.
- For health oversight activities: St. Vincent may disclose PHI to St. Vincent's central offices, the protection and advocacy agency, or another agency responsible for monitoring the health care system for such purposes as reporting or investigation of unusual incidents, and monitoring of the Medicaid program.
- Relating to decedents: St. Vincent may disclose PHI related to a death to coroners, medical examiners, funeral directors, or to organ procurement organizations relating to organ, eyes, or tissues donations or transplants.
- To avert threat to health or safety: In order to avoid a serious threat to health or safety, St. Vincent may disclose PHI as necessary to law enforcement or other persons who can reasonably prevent or lessen the threat of harm.
- For specific government functions: St. Vincent may disclose PHI of military personnel and veterans in certain situations, to correctional facilities in certain situations, to government benefit programs relating to eligibility and enrollment, and/or for national security reasons such as protection of the President.

*Uses and Disclosures Of PHI From Alcohol And Other Drug Records Not Requiring Consent Or Authorization*

The law provides that St. Vincent may use/disclose your PHI from alcohol and other drug records without consent or authorization in the following circumstances:

- When required by law: St. Vincent may disclose PHI when a law requires that we report information about suspected child abuse and neglect or when a crime has been committed on the program premises or against program personnel or in response to a court order.
- Relating to decedents: St. Vincent may disclose PHI relating to an individual's death if state or federal law requires the information for collection of vital statistics or inquiry into cause of death.
- To avert threat to health or safety: In order to avoid a serious threat to health or safety, St. Vincent may disclose PHI to law enforcement when a threat is made to commit a crime on the program premises or against program personnel.

*Uses and Disclosures Requiring You To Have An Opportunity To Object*

In the following situations, St. Vincent may disclose a limited amount of your PHI if St. Vincent informs you about the disclosure in advance and you do not object, as long as the disclosure is not otherwise prohibited by law.

- To families, friends, or others involved in your care: St. Vincent may share with these people information directly related to their involvement in your care, or payment for your care. We may also share PHI with these people to notify them about your locations, general condition, or death.

#### *Your Rights Regarding Your Protected Health Information*

You have the following rights relating to your protected health information:

- To request restrictions on uses/disclosures: You have the right to ask that St. Vincent limits how we use or disclose your PHI. We will consider your request but are not legally bound to agree to the restriction. To the extent that we do agree to any restrictions on our uses/disclosures of your PHI, we will put the agreement in writing and abide by it except in emergency situations. We cannot agree to limit uses/disclosures that are required by law.
- To choose how we contact you: You have the right to ask that St. Vincent sends you information at an alternative address or by an alternative means. We must agree to your request as long as it is reasonable for us to do so.
- To inspect and request a copy of your PHI: Unless your access to your records is restricted for clear and documented treatment reasons, you have a right to see your protected health information upon your written request. St. Vincent will respond to your request within 30 days. If St. Vincent denies your request, we will give you written reasons for the denial and explain any right to have the denial reviewed. If you want copies of your PHI, a charge for copying may be imposed, depending on your circumstances. You have a right to choose what portions of your information you want copied and to have prior information on the cost of copying.
- To request amendment to your PHI: If you believe that there is a mistake of missing information in our record of your PHI, you may request, in writing, that we correct or add to the record. We will respond within 60 days of receiving your request. We may deny the request if we determine that the PHI is: (1) correct and complete; (2) not created by use and/or not part of our records, or; (3) not permitted to be disclosed. Any denial will state the reasons for the denial and explain your rights to have the request and denial, along with any statement in response that you provide, appended to your PHI. If we approve the request for amendment, we will change the PHI and so inform you and tell others that need to know about the change in the PHI.
- To find out what disclosures have been made: You have a right to get a list of when, to whom, for what purpose, and what content of your PHI has been released other than instances of disclosure: for treatment, payment, and operations; to you, your family, or the facility director(s); or pursuant to your written authorization. The list will not include any disclosures made for national security purposes, to law enforcement officials or

correctional facilities, or disclosures made before April 2004. St. Vincent will respond to your written request for such a list within 60 days of receiving it. Your request can relate to disclosures going as far back as six years. There will be no charge for up to one such list each year. There may be a charge for more frequent requests.

- To opt out of receiving fundraising communication: St. Vincent does not solicit current or former clients in fundraising efforts. An exception is made when a former client voluntarily donates toward a fundraising effort. All donors are given frequent opportunities to opt out of receiving fundraising communication from St. Vincent.