

## **NOTICE OF PRIVACY PRACTICES**

### **Notice to Client or Guardian Regarding Protected Health Information**

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

All information that is provided during the screening, referral, admission, and treatment/habilitation process is considered confidential by the employees, interns, and volunteers of all OPC programs. We are required to protect the privacy of health information about you, and the disclosure of protected health information will be governed by North Carolina General Statute 122C, federal law regarding substance abuse records 42 CFR Part 2, and the Health Insurance Portability and Accountability Act of 1996, as well as any other applicable federal or state laws.

Exchange and use of protected health information between OPC staff and/or OPC's provider community for the purpose of treatment, payment, or healthcare operations will be permitted and based on "need to know" guidelines, and positional authority. For example:

- Information obtained about you during the screening and referral process may be shared with the provider from whom you have chosen to receive services.
- Information obtained about you by a psychiatrist, therapist, case manager, nurse or other member of your treatment team will be recorded in your record and used to determine the course of treatment that should work best for you.
- Treatment team members will also be expected to collaborate on developing your person centered plan and to discuss your progress in treatment on a routine basis
- Information about the services you receive may be submitted and processed by the Authorization and/or Billing departments so that your provider can be paid for your services.
- Documentation from your medical record may also be pulled for review by the Quality Improvement or Authorization departments in preparation for an audit or for other reviews to improve the quality and effectiveness of the services you receive.
- Treatment outcomes data collected by your provider via the NC Treatment Outcomes and Program Performance System (NC-TOPPS) will be shared with the NC Division of Mental Health, Developmental Disabilities and Substance Abuse Services.

*Note: Exchange of protected health information related to substance abuse treatment is generally only allowed when authorized by the consumer or legally responsible person.*

Other disclosures of protected health information outside of OPC are permitted when you or your legal representative signs a written authorization, or gives verbal authorization in an emergency situation. Any authorization for disclosure may be revoked at any time, except to the extent that action has been taken in reliance on it.

You have the right to request restriction of the disclosure of your health information, except when OPC is required to do so. Under the following specific conditions, disclosure of information outside of OPC is permitted and/or required by law and professional ethics without your specific authorization:

- When there is a medical or psychiatric emergency involving your health or safety or the safety of others.
- When OPC is required by law to report instances of neglect or abuse of a child or disabled adult.
- When the disclosure is for judicial or administrative proceedings and OPC is responding to an order of a court or administrative tribunal.
- When OPC is required by North Carolina Administrative Code to disclose physician information due to an incident which would cause health risk to other persons.
- When OPC authorizes research for the purpose of program planning and evaluation of services through the use of statistical information that can not be linked to any individual.

OPC uses computerized records to meet statistical, financial, and medical record requirements. OPC will comply with expected norms for security of electronic records and will make every effort to secure any identifying information that is transmitted outside of the organization.

You also have other rights related to the use and disclosure of health information in your medical record. These rights include:

- **Right to request your medical record be designated as a “Secure/Hot File”**  
All medical records are considered to be secure and confidential. However, if special circumstances exist (ex. you are the neighbor of an OPC employee) you may request that your record be filed as a “Secured/Hot File”. We will make every effort to accommodate your request, but we are not required to do so.
- **Right to inspect and request a copy of your medical record.**  
If you would like to inspect or receive a copy of your health information, please contact your local provider for instructions on how to submit a written request. We may deny your request in very limited circumstances. If we deny your request, we will respond to you in writing, stating why we will not grant your request and describing any rights you may have to request a review of our denial. If your request is approved, we may charge a reasonable fee for the costs of copying, mailing or other supplies associated with any request for copies.
- **Right to request amendment of any section of your medical record.**  
If you feel that we have information that is inaccurate or incomplete, you have the right to request that your record be amended. If we deny your request we will notify you in writing of our reason and will describe your rights to provide a written statement disagreeing with our denial.
- **Right to receive an accounting of disclosures that have occurred.**  
Each disclosure of protected health information will be documented in the medical record. You have the right to request an accounting of these disclosures for the previous six years beginning April 14, 2003.
- **Right to request an alternative method of contact.**  
OPC may call you or mail information to you regarding appointment reminders, billing information, or other information about treatment alternatives or services that might be of interest to you. If you like to request an alternative method of contact please notify your local provider. We will accommodate reasonable requests, but may condition our accommodation on your providing us with information regarding how payment, if any, will be handled.
- **Right to a copy of this Notice.**  
You have the right to receive a paper copy of this Notice. OPC reserves the right to change this notice and to make the new notice effective for all protected health information that is maintained in hard copy or electronic format. Revisions to the NOTICE OF PRIVACY PRACTICES will be made available at each facility for distribution to all consumers.

OPC recognizes the importance of confidentiality, and your right to be fully informed of all regulations regarding protected health information. If you feel that your privacy rights have been violated you may contact OPC’s Client Rights Coordinator at 919-913-4079 to file a complaint. Or you may contact the Secretary of the North Carolina Department of Health & Human Services, 2001 Mail Service Center, Raleigh, North Carolina 27699-2001, or 919-733-4534; or the U.S. Secretary of Health & Human Services, 200 Independence Avenue SW, Washington, DC 20201, or 1-877-696-6775. **Provision of services will not be affected by the filing of any complaint.**