



Notice of Privacy Practices

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION* ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION.

*Protected Health Information (PHI)

PLEASE REVIEW IT CAREFULLY

EFFECTIVE DATE: This notice was published and first became effective on April 2003

REVISED DATE:
September 2022

Privacy

St. Ann's is required by state and federal law to maintain the privacy of your Protected Health Information (PHI). This information includes any identifiable information about your health, including demographic information, either created by St. Ann's Home or received by St. Ann's Home from other healthcare providers.

We are required by law to provide you with notice of our legal duties and privacy practices with respect to your PHI. This notice will inform you how St. Ann's may use and disclose your PHI and to inform you of your privacy rights. St. Ann's must follow the privacy practices as set forth in its most current Notice of Privacy Practices.

This notice refers only to the use/disclosure of PHI. It does not change existing law, regulations and policies regarding informed consent for treatment.

Changes to this Notice

St. Ann's Home reserves the right to change the terms of this notice at any time and to make new conditions effective for all PHI that we already have as well as PHI that we receive in the future. The most current privacy notice will be posted in our facilities and on our website (www.st.annshome.org). An individual may request a copy of the current notice at any time.

How Does St. Ann's Use and Disclose PHI?

St. Ann's may use your PHI within our agency and disclose it outside of our agency without your authorization for the following reasons:

Uses/Disclosures Relating to Treatment, Payment and Health Care Operations

The following examples describe some, but not all, the reasons that St. Ann's may use/disclosure PHI:

Treatment may include:

- Consulting, providing, coordinating, or managing healthcare and related services with one or more healthcare provider and other personal (e.g., interpreters), who are involved in delivering healthcare and related services;
- Determining an application for services, assisting in developing treatment and/or service plan and conducting periodic reviews and assessments;
- Consulting with other healthcare providers concerning a patient;
- Sharing PHI with service providers for the purpose of referrals and then coordinating and providing for those services;
- Providing appointment reminders or follow up instructions;
- Contacting healthcare providers with information about treatment alternatives or other health related benefits and/or services that may be of interest to you.

For example, St. Ann's Home may share or transfer your health care information with your primary care doctor or other health care provider.

Payment Activities may include:

- Activities undertaken by St. Ann's Home to obtain reimbursement for services provided to you;
- Determining your eligibility for benefits or health insurance coverage;
- Managing claims and contacting your insurance company or tuition funding services regarding payment;
- Collection activities to bill and obtain payment for services provided to you;
- Reviewing healthcare services and discussing with your insurance company tuition funding services, the medical necessity of certain services or procedures, coverage under your health plan, appropriateness of care, or justification of charges;
- Obtaining pre-certification and pre-authorization of services to be provided to you.

For example, St. Ann's Home will submit claims to your insurance company and tuition funding sources, such as DCF, DMH, Local Education Agencies pursuant to Ch. 766 on your behalf. These claims can identify you, your diagnosis and the services provided to you.

Healthcare Operations may include:

- Conducting quality assessment and improvement activities;
- Conducting outcomes, evaluation and development of clinical guidelines;
- Protocol development, case management, case coordination;
- Conducting or arranging for medical review, legal services, and auditing functions;
- Maintaining client directories;
- Receiving and responding to complaints.

For example, St. Ann's Home may use your diagnosis, treatment, and outcome information to measure the quality of the services that we provide or assess the effectiveness of your treatment when compared to patients in similar situations.

Business Associates (BA)

- PHI may be used/disclosed to contractors, agents, and other business associates who need the information to assist St. Ann's Home with payments or carrying out its business operations. If St. Ann's discloses your PHI to a business associate, St. Ann's will have a written contract with that BA to ensure that it also protects your PHI.

Required By Law

- St. Ann's may use disclosed PHI as required by law, such as to report a felony committed on its premises; pursuant to a court order, to report abuse or neglect, and other situations where it is required by statute or regulation.

Lawsuits and Disputes

- If you bring a legal action or other proceeding against St. Ann's or our employees or agents, we may use or disclose PHI to defend ourselves.

Uses/Disclosures Requiring Written Authorization

- St. Ann's may not disclose your PHI to family members or friends who may be involved with your treatment or care without your written permission.
- St. Ann's is required to have a written authorization from you or your personal representative (a parent /legal guardian if you are under 18 of age or those over 18 who have guardian in place) with the legal authority to make health care decisions on your behalf for uses/disclosures beyond treatment, payment and health care operations unless an exception listed below applies.

Your personal representative will be required to provide proof of his/her authority to act in your behalf which may include but will not be limited to following: (a) power of attorney for health care purposes, notarized by a notary public; (b) a court order of appointment of the person as the conservator or guardian of the individual; or (c) an individual who is the parent of a minor. Until proof is established, he/she will not be given access to your PHI or allowed to take any action for you.

You may cancel an authorization at any time, if you do so in writing. A cancellation will stop future uses/disclosures except to the extent St. Ann's has already acted based upon your authorization.

- St. Ann's may disclose if you agree, verbally or otherwise, your religious affiliation to clergy.
- In most case St. Ann's must require your written consent to disclose psychotherapy notes, certain substance use disorder information, HIV testing or test results, and certain genetic information even if disclosure is being made for treatment payment or health care operations purpose. If you have authorized permission to use or disclose PHI you may revoke it at any time, except to the extent we have taken action based on the previous authorization.
- St. Ann's must require your written consent to disclose sale of PHI and marketing. If you have authorized permission to use or disclose PHI you may revoke it at any time, except to the extent we have taken action based on the previous authorization.
- St. Ann's may initially contact you for fundraising efforts, but you can request not to be contacted again.

Exceptions

There are additional situations when St. Ann's Home is permitted or required to use or disclose your PHI without your consent or authorization.

- To public health authorities for the purpose of preventing, controlling disease, injury or disability and reporting vital statistics;

- To alert a person who may have been exposed to a communicable disease or may otherwise be at risk of developing or spreading a disease or condition;
- To avoid or lessen a serious and imminent threat to a person for the public's health or safety, or to certain government agencies;
- When reporting suspected abuse, neglect, or domestic violence to government agencies.
- To Food and Drug Administration of adverse events and oversights;
- To report information to your employer as required under laws addressing work-related illnesses and injuries;
- To report proof of student immunization to schools;
- To report, if permitted or required by law, or for law enforcement or national security;
- To correctional institutions, if you are an inmate;
- For activities related to death;
- For organ tissue donations;
- For federal and state oversight activities such as fraud investigations, usual incident reporting, and protection and advocacy activities;
- For Judicial and Administrative proceedings in response to a legal order or other lawful process. Your PHI may be disclosed in response to a subpoena or discovery request, without a court or administrative order or request, provided:
 - the requesting party has documentation to show that a reasonable effort was made to inform you of the subpoena and that you could have objected;
 - the requesting party has a court order limiting the use of the information requested for the purposes of your defense or of developing a case for your benefit.

Your Rights Regarding Your PHI

- Request that restrictions be placed on certain uses or disclosures of your PHI by St. Ann's Home to carry out treatment, payment, or healthcare operations. We are not required to agree to your request, but if we do, we must adhere to the restriction, except when PHI is needed in an emergency treatment decision. In this event, information may be disclosed only to healthcare providers treating you. Also, a restriction would not apply when we are required by law to disclose certain health care information. This request must be made in writing;
- Request that we not share information for the purpose of payment or our operations with your health insurer, if you pay for a service or health care item out-of-pocket in full. This may be denied if we are required by law to share that information;
- Review and/or obtain a copy of your healthcare records, with the exception of psychotherapy notes or information compiled for use (or anticipate for use) in a civil, criminal, or administrative action or proceeding. When records are kept electronically, you may request an electronic copy. If you are denied access, in certain circumstances, you may request that the denial be reviewed. Fees may be charged for copying and mailing. St. Ann's will respond to your request within 30 day. If additional time is needed, St. Ann's will notify you within the 30 days to explain the reason(s) for the delay, and when you will receive a should receive a final answer. **This request must be made in writing;**
- Request additions or corrections to your healthcare records that you think is incorrect or incomplete, as long as such information is maintained by us. St. Ann's is not required to comply with a request and under certain circumstances this request may be denied. Should you be denied, St. Ann's Home will tell you why in writing within 60 days and notify you of your rights in that event. If additional time is needed to respond, St. Ann's Home will notify you within the 60 days to explain the reason(s)

for the delay and indicate when you can expect a final answer to your request. **This request must be made in writing;**

- Request that St. Ann's Home send PHI, including billing information by alternative means or to alternative locations. **This request must be made in writing;**
- Request that St. Ann's Home contact you in a specific way or send mail to a particular address or location. We will accommodate reasonable requests;
- Request that another person can exercise your rights and make choices about your health information when you have given someone medical power of attorney or if someone is your legal guardian. We will make sure that person has this authority and can act for you before we take any action;
- Request to receive an accounting of the disclosures of your PHI made by St. Ann's Home for the six years prior to the date of the request, beginning with the disclosures made after April 14, 2003. We are not required, however, to record disclosures we make pursuant to a signed consent or authorization, made to you or your representative, disclosures made for treatment, payment and healthcare operations or required by law. St. Ann's will generally respond to this request within 60 days but if additional time is needed to respond, we will notify you within the 60 days to explain the reason(s) for the delay. At that time, we will indicate when you will get an a final answer to your request. **This request must be made in writing;**
- Obtain, upon request, a paper copy of this notice or any revision of this notice, even if you agreed to receive it electronically;
- Notification in the event of unpermitted access or use of unsecured medical information. If the law requires us to notify you of this information we will do so promptly.

To Contact St. Ann's or to File a Complaint

If you want to obtain further information about St. Ann's privacy practices, or if you want to exercise your rights, or you feel your privacy rights have been violated, or you want to file a complaint, you may contact:

Robin Duguay
St. Ann's Home, Inc.
100A Haverhill Street
Methuen, MA 01844
Phone: 978-682-5276

A complaint must be made in writing.

No one may retaliate against you for filing a complaint or for exercising your rights as described in this notice.

You also may file a complaint with:

Secretary of Health and Human Services
Office for Civil Rights
U.S. Department of Health and Human Services
JFK Federal Building, Room 1875
Boston, MA 02203.

This Notice is in accordance with the Health Insurance Portability and Accountability Act 45 CFR 164.520.