

Notice of Privacy Practices

Effective: April 14, 2003. **Revised 2/22/17 to add Addendum highlighted below.**

This notice describes how personal information about you may be used and disclosed and how you can get access to this information. Please read carefully.

Privacy Promise

The Logan County DD Board understands that personal information needs to be kept private. Protecting personal information is important. We follow strict federal and state laws that require us to keep the personal information of all people we provide services to confidential.

DD'S Privacy Responsibilities

The Logan County Board of DD is required by law to:

- Maintain the privacy of your personal information
- Provide this notice that describes the ways we may use and share your personal information
- Follow the terms of the notice currently in effect.

How Personal Information May be Used

When you (or your child under 18 years old) receive services from the DD Board, the personal information you provide will be used for providing your services, billing for those services and conducting normal board business known as health care operations.

If Board of DD staff should want to share your personal information with anyone who is not employed by the DD Board, you must give them written permission first. Some personal records, including confidential communications with a mental health professional or substance abuse counselor, may have additional restrictions for use and disclosure under state and federal law.

If you have a legal representative (guardian or someone else you have appointed) and have agreed to let that person obtain or authorize the release of your personal information, we will provide the authorized information.

Examples of how personal information may be used:

Treatment - Records of the care and services provided to you within the DD Board are kept for each service. For example, case managers, nurses and therapists keep notes on all contacts made in coordinating, arranging or providing a service.

Payment – Records are kept that include payment information and documentation of the services provided to you. For example your information may be used to obtain payment for your services from Medicaid or other sources.

Health Care Operations – Personal information may be reviewed to improve the quality of care, train staff, manage costs, conduct required business duties, and make plans to better serve you and other individuals enrolled in the DD Board. For example, we may use your personal information to evaluate the quality of treatment and services provided by our service staff.

Uses and Disclosures of Health Information Not Requiring Consent or Authorization

The law provides that Logan County Board of DD may use/disclose your health information without consent or authorization in the following circumstances

- When required by law or court order
- For public health activities
- About suspected abuse, neglect or domestic violence
- For health oversight activities
- For judicial and administrative proceedings
- Related to a death
- To avoid a serious threat to health or safety
- For specialized government functions such as intelligence and national security
- For workers' compensation claims handling
- When local, state, federal agencies need to monitor your services
- To prepare reports required by the Ohio Department of Mental Retardation and Developmental Disabilities and the Ohio Department of Job and Family Services

ADDENDUM TO NOTICE OF PRIVACY PRACTICES 2/22/17

Disability Rights Ohio (DRO) filed a state-wide class action captioned Ball v. Kasich Case No. 2:16-cv-282 in the U.S. District Court for the Southern District of Ohio. The suit was filed on March 31, 2016 against the Governor, Department of Developmental Disabilities, Department of Medicaid and Opportunities for Ohioans with Disabilities. The Ohio Association

of County Boards Serving People with Developmental Disabilities may become a defendant in the lawsuit. The Plaintiffs are represented by DRO and other lawyers from Massachusetts, Illinois, Michigan and Washington D.C.

The action potentially affects all adults with DD. The parties to the lawsuit, through their lawyers, have sought and will continue to seek documentation, including Protected Health Information, on individuals who are or who may be a part of this lawsuit, or who may have information relevant to this lawsuit or who are simply receiving services from DD Boards. The DD Board will comply with requests for information and may provide Protected Health Information on any person served by the DD Board to the lawyers for any of the parties. All information provided in connection with this lawsuit is covered by a protective order issued by the court which complies with HIPAA and other privacy regulations and which ensures that the information about any individual cannot be disclosed outside of the lawsuit without their permission. At the conclusion of the lawsuit, all protected health information which was disclosed or retained by any party in the course of the lawsuit will be destroyed.

For further information on the lawsuit or the Protective Order, contact OACBDD.

All other uses and disclosures, not described in this notice, require your signed authorization. You may revoke your authorization at any time with a written statement.

Your Individual Rights

You have the right to:

- Request restrictions on how we use and share your personal information. We will consider all requests for restrictions carefully but are not required to agree to any restriction.*
- Request that we use a specific telephone number or address to communicate with you.
- Inspect and copy your personal information, including service, medical and billing records. Fees may apply.*
- Request corrections or additions to your personal information. You must give the reasons for wanting the change.*
- Request an accounting of certain disclosures of your personal information made by us. Your request must state the period of time desired for the accounting, which must be within the six years prior to your request. The first accounting is free but a fee will apply if more than one request is made in a 12-month period.*
- Request a paper copy of this notice even if you agree to receive it electronically.

Requests marked with a star (*) must be made in writing. Contact the DD Board Privacy Officer for the appropriate form for your request.

Our Organization

This notice describes the privacy practices of the Logan County Board of DD (the DD Board). This notice also describes the privacy practices of persons or entities which have signed a contract with the DD Board and which are acting as business associates and have promised to follow the same rules of confidentiality.

The DD Board includes

RTC Industries, Inc., Discovery Center and the Administrative offices as well as the DD Board employees and volunteers at those facilities.

Current notices will be posted in the DD Board facilities and on our website www.co.logan.oh.us./mrdd/. You may also request a copy of this notice from the DD Board Privacy Officer.

We reserve the right to make changes to this notice at any time and make the new privacy practices effective for all information we maintain.

Contact Us

If you would like further information about your privacy rights, are concerned that your privacy rights have been violated, or disagree with a decision that we made about access to your personal information:

Contact the DD Board—Complaint Officer or Privacy Officer, 1851 State Route 47 West/ PO Box 710 / Bellefontaine, OH 43311 / 937-592-0015 or Fax at 937-592-5615;

We have a formal process to investigate all complaints and will not retaliate against you for filing a complaint.

You also may file a complaint with either

- The Secretary of the U.S. Department of Health and Human Services (1-877-696-6775) or
- The Office for Civil Rights, U.S. Department of Health and Human Services (1-800-368-1019) or e-mail at ocrmail@hhs.gov.