



COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF HEALTH (DOH)  
NOTICE OF PRIVACY PRACTICES FOR PROTECTED HEALTH INFORMATION

**What Is This Notice For?**

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

**What Do We Do To Keep Your Health Information Private?**

Keeping your health information private is one of our most important responsibilities. We are committed to protecting your health information and following all laws regarding the use of your health information. You have the right to discuss your concerns about how your health information is shared. The law under the Health Insurance Portability and Accountability Act (HIPAA) says:

1. We must keep your health information from others who do not need to know it.
2. We must make this Notice available to you, and may only use and share your health information as explained in this Notice.
- 3.

**Who May Use And See My Health Information?**

Commonwealth employees, such as program administrators, may use or share your health information for treatment, payment, and healthcare operations.

**Treatment:** We may use or share your health information for treatment. For example, we may use health information we receive from a health care provider who has seen you, to ensure that you are referred for further needed treatment.

**Payment:** We may use or share your health information in order to ensure that health services you have received through our programs are paid for. For example, we may exchange information about you with another government agency, or a health care provider who has provided you with health services.

**Healthcare Operations:** We may use and share your health information in order to manage our programs and to make sure that they serve you well. For example, we may review your health information and share it with other Commonwealth agencies that must also keep your health information private.

**What If The Commonwealth Wants To Use Or Share My Health Information For Other Reasons?**

You will be asked to sign a separate form, called an authorization form, allowing your health information to be used or shared other than for treatment, payment or business operations. The authorization form limits what health information may be used or sent, and says where and to whom the information may be sent. You can cancel the authorization at any time by letting us know in writing.

Your written authorization is required for the use and disclosure of:

1. Psychotherapy notes (with limited exceptions to include certain treatment, payment or healthcare operations).
2. Marketing purposes (with limited exceptions).
3. Disclosure in exchange for remuneration on behalf of the recipient of your protected health information.

**What Rights Do I Have With Regard To My Health Information**

You have the following rights with respect to your health information:

1. To amend your information. If you think some of your health information is incorrect or incomplete, you may ask that corrected or new information be added by making a request in writing to the HIPAA Contact Office. You must state why you think the correction or new information is necessary. We do not have to make the requested amendment. If we do, you may ask that the corrected or new information be sent to others who have received your health information from us. If we deny your request, you have the right to file a statement of disagreement with us and any future disclosures of the disputed information will include your statement.
2. To tell us that you want your health information to be sent somewhere else. We will again ask you to sign an authorization form. You may be charged for the cost of the copies and sending them. If we have HIV or substance abuse information about you, we cannot release it without a special signed, written authorization from you that complies with the laws governing HIV or substance abuse records. Certain other laws that we must comply with may require us to follow the special requirements of those laws in addition to HIPAA.
3. To inspect and copy certain health information. To inspect and copy your protected health information, you must submit your request in writing to the HIPAA Contact Office. If you request a copy of the information, we may charge a reasonable fee for the costs of copying, mailing, or other supplies associated with your request. You may not see the private notes taken by a mental health provider, health information compiled as part of a legal case, or in other limited circumstances. In some cases, if we deny your request to see your health information, you may request a review of the denial.
4. To get a list of where we shared your health information for the last 6 years, unless it was shared for treatment, payment, or healthcare operations. If you ask for more than one list a year, you may be charged for the cost of providing the list. Your request for your health information must be made in writing to the HIPAA Contact Office.
5. To request that the Department communicate with you in a certain way or at a certain location. For example, you can ask that we only contact you by mail or phone, or at an address or phone number other than at your home.

6. To request a restriction or limitation on your health information that we use or disclose for treatment, payment, or health care operations. You also can request a limit on your health information that we disclose to someone who is involved in your care such as a family member or friend. We do not have to agree to the restriction or limitations. If we do agree to the request, we will honor the restriction until you revoke it or we notify you. To request restrictions make a request to the HIPAA Contact Office, you must make your request in writing and tell us what information you want to limit.
7. To be notified in the event that we (or a Business Associate) discover a breach of unsecured protected health information.

### **Could My Health Information Be Used Or Released Without My Authorization?**

We follow laws that tell us when we have to share health information, even if you do not sign an authorization form. We will use or release your health information:

1. For public health reasons, including to prevent or control disease or injury; or report births or deaths, suspected abuse or neglect, reactions to medications or problems with certain health-related products.
2. To prevent serious threats to your health or safety or that of another person or the public.
3. To carry out treatment, payment or healthcare operations.
4. To carry out administrative functions your information may be released to specific employees who assist in the administration of the benefits.
5. To help health oversight agencies monitor the health care system, government programs, and compliance with civil rights laws, including for audits, investigations, inspections, or licensing purposes.
6. If a court orders us to, or if we receive a subpoena and receive certain assurances from the person seeking the information.
7. To law enforcement officials, if we receive a proper request and the request meets all other legal requirements.
8. To coroners, medical examiners or funeral directors, in order to help identify a deceased person, determine the cause of death, or perform other legally authorized duties.
9. To organ procurement organizations, if you are an organ donor or as legally required.
10. For health-related research that meets applicable legal requirements.
11. To military authorities, if you were or are a member of the armed forces and the request is made by appropriate military command authorities.
12. To authorized federal officials for national security purposes.
13. To Workers Compensation for work-related injuries.
14. To other government benefit programs in order to coordinate or improve administration and management of the programs.
15. To family or others involved in your treatment or financial affairs, if you have indicated that we can do so or if we can reasonably infer that you do not object.
16. As otherwise required by law.

### **When Is This Notice Effective?**

This Notice went into effect on May, 2013.

### **May I Have A Copy Of This Notice?**

You have a right to a paper copy of this Notice of Privacy Practice at any time. Even if you have agreed to receive this notice electronically, you are still entitled to a paper copy. We reserve the right to change this Notice, and to apply the new practices to all of your health information, including information we received before the Notice was changed. If we change this Notice and you are still in our Program, we will send you a new one upon request. You are entitled to the most current copy of the Notice. You can find the most current notice at <http://www.health.state.pa.us/hipaa>

### **Contact Information for Complaints or Questions**

If you have questions or feel your privacy rights have been violated, you can ask questions or complain by writing to or calling the **HIPAA Contact Office, Department of Health, 8<sup>th</sup> Floor West, Health and Welfare Bldg. Harrisburg, PA 17120. Phone (717) 232-4019.**

You can also complain to the federal government, Secretary of Health and Human Services, by writing to: U.S. Department of Health & Human Services, Office for Civil Rights, 150 S. Independence Mall West - Suite 372, Philadelphia, PA. 19106-3499.

### **Will It Make Trouble For Me If I Complain?**

**Your services will not be affected by any complaint made to the Department Privacy Officer, Secretary of Health and Human Services or Office of Civil Rights.**