



Boys & Girls Village, Inc. Notice of Privacy Practices

The Notice of Privacy Practices (the “Notice”) is meant to inform the client of the uses and disclosures of protected health information and certain obligations Boys & Girls Village, Inc. (“BGV”) has regarding the use and disclosure of client’s protected health information.

Protected health information is information about the client created and received by BGV, including demographic information, that may reasonably identify the client and that is related to their past, present or future physical or mental health or condition, or payment for the provision of their health care.

BGV is required by law to maintain the privacy of client’s personal health information. BGV is also required by law to provide each client with notice of the agency’s legal duties and privacy practices with respect to client’s protected health information, to notify affected individuals following a breach of unsecured protected health information, and to abide by the terms of the Notice that is currently in effect. However, BGV may change their notice at any time. The new revised Notice will apply to all of the clients’ protected health information maintained by BGV. Clients will not automatically receive a revised Notice. If clients would like to receive a copy of any revised Notice, they will be instructed to access the agency’s web site at www.bgvillage.org, contact BGV via mail, phone or fax, or ask at their next appointment.

How Boys & Girls Village, Inc. (BGV) May Use or Disclose Client’s Protected Health Information

BGV asks clients, or their legal guardians if a minor, to sign a consent form that allows the agency to use and disclose their protected health information for treatment, payment and health care operations. Clients will also be asked to acknowledge receipt of this Notice on the Consent and Acknowledgement Form.

The following categories describe some of the different ways that BGV may use or disclose client’s protected health information. Even if not specifically listed below, BGV may use and disclose client’s protected health information as permitted or required by law or as authorized by the client. BGV will limit access to client’s protected health information to the minimum information necessary for those persons or classes of persons, in the agency workforce, who need access to carry out their duties. In addition, the agency will limit the protected health information to the minimum amount necessary to accomplish the intended purpose of any use or disclosure and to the extent such disclosure is limited by law.

For Treatment – BGV may use and disclose client’s protected health information to provide clients with medical treatment and related services. Client’s protected health information may be used, for example, to communicate with a provider at a school, or a primary care physician to coordinate treatment. If BGV is permitted to do so, the agency may also disclose clients’ protected health information to individuals or facilities that will be involved with client’s care after they leave BGV and for other treatment reasons. BGV may also use or disclose client’s protected health information in an emergency situation.

For Payment- BGV may use and disclose client’s protected health information so that the agency can bill and receive payment for the treatment and related services received. For billing and payment purposes, the agency may disclose client’s health information to the client’s payment source, including an insurance or managed care company, Medicare, Medicaid, or another third-party payer. For example, BGV may need to give client’s health plan information about the treatment received so the client’s health plan will pay BGV or reimburse the agency for the treatment, or contact the client’s health plan to confirm client’s coverage or to request prior authorization for a proposed treatment.

For Health Care Operation – BGV may use and disclose client’s health information as necessary for operations of BGV such as quality assurance and improvement activities, reviewing the competence and qualifications of health care professionals, medical review, legal services and auditing functions, and general administrative activities of BGV. For example, BGV will use or disclose protected health information during licensing and accrediting site visits.

Business Associates – There may be some services provided by BGV’s business associates, such as billable services and external legal expertise. BGV may disclose client’s protected health information to the agency’s business associates so that they can perform the job the agency has asked them to do. To protect client’s health information, the agency requires business associates to enter into a written agreement that requires them to appropriately safeguard client’s information.

Appointment Reminders – The agency may use and disclose protected health information to contact clients as a reminder that they have an appointment at BGV.

Treatment Alternatives and Other Health-Related Benefits and Services- BGV may use and disclose protected health information to tell clients about or recommend possible treatment options or alternatives and to tell clients about health-related benefits, services, or medical education classes that may be of interest to clients.

Judicial and Administrative Proceedings- If a client is involved in a lawsuit or a dispute, BGV may disclose a client’s protected health information in response to a court or administrative order. BGV may also disclose a client’s protected health information in response to a subpoena, discovery request, or other lawful process if such disclosure is permitted by law.

Individuals Involved in Clients Care or Payment of Client’s Care- Unless the client objects, BGV may disclose client’s protected health information to a family member, a relative, a close friend or any other person the client identifies if the information relates to the person’s involvement in the client’s health care or payment related to their health care.

Health Oversight Activities- BGV may disclose a client’s protected health information to a health oversight agency for activities authorized by law, such as audits, investigations, inspections, and licensure.

Mental Health Information- Certain mental health information may be disclosed for treatment, payment and health care operations as permitted or required by law. Otherwise, BGV will only disclose such information pursuant to an authorization, court order or as otherwise required by law. For example, all communications between the client and a psychologist, psychiatrist or social worker will be confidential in accordance with Connecticut and Federal law.

Special Rules Regarding Disclosure of Mental Health, Substance Abuse, and HIV-Related Information and Information of Minors- For disclosures concerning protected health information relating to care for mental health conditions, substance abuse or HIV-related testing and treatment and minors, special restrictions may apply. For example, BGV generally may not disclose this specially protected information in response to a subpoena, warrant or other legal process unless the client signs an authorization or a court orders the disclosure.

Substance Abuse Treatment Information- If a client is treated in a specialized substance abuse program, the client’s authorization will be needed for certain disclosures, certain reporting, and other disclosures specifically allowed under Federal law and regulations. However, such authorization is not needed in the event of an emergency. Generally, BGV may not say to a person outside the program that the client attends the program or disclose any information identifying the client as an alcohol or drug abuser, unless:

- The client consents in writing;
- The disclosure is allowed by a court order; or
- The disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit, or program evaluation.

Federal law and regulations do not protect any information about a crime committed by a patient either at the substance abuse program, against any person who works for the program, or about any threat to commit such a crime. Federal laws and regulations do not protect any information about suspected child abuse or neglect from being reported under State law to appropriate State or local authorities.

Law Enforcement- BGV may disclose client's protected health information for certain law enforcement purposes if permitted or required by law. For example, to report gunshot wounds; to report emergencies or suspicious deaths; to comply with a court order, warrant, or similar legal process; or to answer certain requests for information concerning crimes.

Victims of a Crime- Except for disclosures required by law regarding crimes committed on the premises, disclosures about victims of abuse, neglect or domestic violence, and child abuse or neglect, BGV discloses protected health information about a client who is suspected to be a victim of a crime only if the following requirements are met:

- The client agrees to the disclosure; or
- Where the client's agreement cannot be obtained because of incapacity or another emergency circumstance and:
 - The law enforcement official represents that such information is needed to determine whether a violation of law by another person has occurred and such information is not intended to be used against the victim client; or
 - The law enforcement official represents that immediate law enforcement activity that depends on the disclosure would be materially and adversely affected by waiting until the client is able to agree with the disclosure; and
 - The disclosure is in the best interest of the client as determined by BGV in the exercise of professional judgment.

Disaster Relief- BGV may disclose client's protected health information to a public or private entity authorized by law to assist in a disaster relief effort.

Public Health Activities- BGV may disclose the client's protected health information to a public health authority that is authorized by law to collect or receive such information such as for the purpose of preventing or controlling disease, injury, or disability, reporting births or deaths, reporting child abuse or neglect, notifying individuals of recalls of products they may be using, notifying a person who may have been exposed to a disease or may be at risk of contracting or spreading a disease or condition.

To Avert a Serious Threat to Health or Safety- BGV may use and disclose client's protected health information when necessary to prevent a serious threat to their health and safety or the health and safety of the public or another person. Any disclosure, however, would be to someone able to help prevent the threat. The Quality Department is responsible for reviewing all proposed uses and disclosures to avert a serious threat to health or safety and for ensuring that any such uses or disclosures are made in compliance with federal, state and agency regulations.

HIV Information for Exposure- BGV will disclose HIV-related information as permitted or required by Connecticut law. For example, a client's HIV-related protected health information, if any, may be disclosed in the event of potential significant exposure to HIV. Any use and disclosure for such purposes will be to someone able to reduce the outcome of the exposure and limited in accordance with Connecticut and Federal law.

Military and National Security- If required by law, if a client is a member of the armed forces, BGV may use and disclose a client's protected health information as required by military command authorities or the Department of Veterans Affairs. If required by law, BGV may disclose a client's protected health information to authorized federal officials for the conduct of lawful intelligence, counter-intelligence, and other national security activities authorized by law. If required by law, BGV may disclose a client's protected health information to authorized federal officials, so they may provide protection to the President, other authorized persons or foreign heads of state or conduct special investigations.

Fundraising Activities- BGV may use limited protected health information about clients to contact them in an effort to raise money for BGV and its operations. A description of how to opt out of receiving any further fundraising communications will be included with any fundraising materials received from BGV.

Workers' Compensation- BGV may use or disclose a client's protected health information as permitted by laws relating to workers' compensation or related programs.

Research Purposes- BGV does not engage in any research.

When Boys & Girls Village Inc. May Not Use or Disclose a Client's Protected Health Information

Except as described in this Notice, or as permitted by Connecticut or Federal law, Boys & Girls Village, Inc. will not use or disclose a client's protected health information without their or, if a minor, their legal guardian's written authorization. If the client or legal guardian does authorize the agency to use or disclose protected health information for reasons other than treatment, payment or health care operations, the client or legal guardian may revoke their authorization in writing at any time by contacting BGV's Privacy Officer. If revoked, the agency will no longer use or disclose client's protected health information for the purposes covered by the authorization.

Psychotherapy Notes- A signed authorization or court order is required for any use or disclosure of psychotherapy notes except to carry out certain treatment, payment, or health care operations and for use by BGV for treatment, for training programs, or for defense in legal action.

Marketing- A signed authorization is required for the use or disclosure of a client's protected health information for a purpose that encourages the client to purchase or use a product or service except for certain limited circumstances such as when the marketing communication is face-to-face or when marketing includes the distribution of a promotional gift of nominal value provided by BGV.

Sale of Protected Health Information- Disclosures that constitute a sale of protected health information require the client's written authorization.

Media- BGV does not disclose any client's protected health information, including the client's name or other identifying information, to the media unless valid authorization is obtained; provided, however, that protected health information may be disclosed to the media in the event of elopement or other, similar emergency to protect the client for danger.

Client's Health Information Rights

The client has the following rights with respect to their protected health information. The following briefly describes how the client may exercise these rights:

Right to Request Restrictions of the Client's Health Information- The client has the right to request certain restrictions or limitations on the protected health information BGV uses or discloses about the client by submitting a restriction request to the BGV Privacy Officer. The agency is not required to agree to the client's requested restriction except under limited circumstances. For example, BGV must agree to the client's request to restrict disclosures about the client to their health plan for purposes of payment or healthcare operations that are not required by law if the information pertains solely to a health care item or service for which the client has paid the agency in full out of pocket. If BGV does agree to accept the client's requested restriction, the agency will comply with the client's request except as needed to provide the client with emergency treatment. If restricted protected health information is disclosed to a health care provider for emergency treatment, BGV will request that such health care provider does not further use or disclose the information except as required by regulations and health emergencies. In addition, the client and BGV may terminate the restriction if the other party is notified in writing of the termination. Unless the client agrees, the termination of the restriction is only effective with respect to protected health information created or received after BGV has informed the client of the termination.

Right to Receive Confidential Communications- The client has the right to request a reasonable accommodation regarding how the client receives communications of protected health information. The client has the right to request an alternative means of communication or an alternative location where they would like to receive communications. The client may submit a request in writing to BGV requesting confidential communications. The client can request a Confidential Communications form from their primary BGV contact or the BGV Quality Department.

Right to Receive Notification of Breaches of Client's Health Information- The client has the right to receive written notification of any "breach" or unauthorized release of their unsecured protected health information, as that term is defined in 45 CFR 164.402.

Right to Access, Inspect and Copy Protected Health Information- The client has the right to access, inspect and obtain a copy of their protected health information that is used to make decisions about their care for as long as the protected

health information is maintained by BGV. To access, inspect and copy the client's protected health information that may be used to make decisions about the client; a request must be submitted in writing to BGV. If the client requests a copy of the information, they may be charged a reasonable fee for costs in preparing, copying, mailing or other supplies associated with the client's request. BGV may deny, in whole or in part, the client's request to access, inspect and copy their protected health information under certain limited circumstances. If BGV denies the client's request, the agency will provide the client with a written explanation of the reason for the denial. The client may have the right to have this denial reviewed by an independent health care professional designated by BGV to act as a reviewing official. This individual will not have participated in the original decision to deny the client's request. The client may also have the right to request a review of BGV's denial of access through a court of law. All requirements, court costs, and attorney's fees associated with a review of denial by a court are the client's responsibility. Clients should seek legal advice if they are interested in pursuing their rights through a court.

Right to Amend Protected Health Information- Clients have a right to request an amendment to their protected health information for as long as the information is maintained by or for BGV. The client's request must be made in writing to BGV and must state the reason for the requested amendment to their information. If BGV denies the client's request for amendment, BGV will give the client a written denial including the reasons for the denial and the right to submit a written statement disagreeing with the denial. BGV may rebut the client's statement of disagreement. If the client does not wish to submit a written statement disagreeing with the denial, the client may request that their request for amendment and their denial be disclosed with any future disclosure of the client's relevant information.

Right to Receive an Accounting of Disclosure of Protected Health Information- The client has the right to request an accounting of certain disclosures of their protected health information by BGV or by others on the agency's behalf. To request an accounting of disclosures, the client must submit a request in writing, stating a time period that is within six (6) years from the date of the client's request. The first accounting provided within a twelve-month period will be free. BGV may charge the client a reasonable, cost-based fee for each future request for an accounting within a single twelve-month period. However, the client will be given the opportunity to withdraw or modify their request for an accounting of disclosures in order to avoid or reduce the fee.

Right to Obtain a Paper Copy of Notice- The client has the right to obtain a paper copy of this Notice even if the client has agreed to receive this Notice electronically. The client may request a copy of this Notice at any time by contacting Boys & Girls Village, Inc. In addition, the client may obtain a copy of this Notice on the web site www.bgvillage.org.

Right to Complain- The client may file a complaint with BGV or the Secretary of the United States Department of Health and Human Services if they believe their privacy rights have been violated by BGV. The client may file a complaint with BGV by notifying the Privacy Office (see below) of their complaint or submitting a grievance form available in the client rights section of the www.bgvillage.org website. The client will not be penalized for filing a complaint and BGV will make every reasonable effort to resolve the client's complaint with them.

Boys & Girls Village, Inc.
Privacy Officer
528 Wheelers Farms Road
Milford, CT 06461
203-877-0300 x299
BGVcompliance@bgvillage.org

BGV does not intimidate, threaten, coerce, discriminate against, or take other retaliatory action against individuals and other for exercising any rights under federal or state law relative to the privacy of their PHI.