

PRIVACY NOTICE GUIDE Program, Inc. Substance Abuse Treatment Programs

THIS NOTICE DESCRIBES HOW MEDICAL AND DRUG AND ALCOHOL RELATED INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

General Information

Information regarding your health care, including payment for health care, is protected by two Federal laws: the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), 42 U.S.C. § 1320d of seq., 45 C.F.R. Parts 160 & 164, and the Confidentiality Law, 42 U.S.C. § 290dd-2, 42 C.F.R. Part 2. Under these laws, GUIDE Program, Inc. (GUIDE) may not say to a person outside GUIDE that you attend the substance abuse treatment program, nor may GUIDE disclose any information identifying you as an alcohol or drug abuser, or disclose any other protected information except as permitted by Federal law.

GUIDE must obtain your written consent before it can disclose information about you for payment purposes. For example, GUIDE must obtain your written consent before it can disclose information to your health insurer in order to be paid for services. Generally, you must also sign a written consent before GUIDE can share information for treatment purposes or for health care operations. However, Federal law permits GUIDE to disclose information without your written permission:

1. Pursuant to an agreement with a qualified service organization/ business associate;
2. For research, audit or evaluations;
3. To report a crime committed on GUIDE's premises or against GUIDE personnel;
4. To medical personnel in a medical emergency;
5. To appropriate authorities to report suspected child abuse or neglect;
6. To provide needed information to protect people from serious injury or death in conformity with Maryland's Duty to Warn statute; or,
7. As allowed by a court order.

For example, GUIDE can disclose information without your consent to obtain legal or financial services, or to another medical facility to provide health care to you, as long as there is a qualified service organization/business associate agreement in place.

Before GUIDE can use or disclose any information about your health in a manner, which is not described above, it must first obtain your specific written consent allowing it to make the disclosure. Any such written consent may be revoked by you in writing.

Your Rights

Under HIPAA you have the right to request restrictions on certain uses and disclosures of your health information. GUIDE is not required to agree to any restrictions you request, but if it does agree then it is bound by that agreement and may not use or disclose any information which you have restricted except as necessary in a medical emergency.

You have the right to request that we communicate with you by alternative means or at an alternative location. GUIDE will accommodate such requests that are reasonable and will not request an explanation from you. Under HIPAA you also have the right to inspect and copy your own health information maintained by GUIDE, except to the extent that the information contains psychotherapy notes or information compiled for use in a civil, criminal or administrative proceeding or in other limited circumstances.

Under HIPAA you also have the right, with some exceptions, to amend health care information maintained in GUIDE's records, and to request and receive an accounting of disclosures of your health related information made by GUIDE during the six years prior to your request (This does not include disclosures to persons authorized by you.) You also have the right to receive a paper copy of this notice.

GUIDE's Duties

GUIDE is required by law to maintain the privacy of your health information and to provide you with notice of its legal duties and privacy practices with respect to your health information. GUIDE is required by law to abide by the terms of this notice. GUIDE reserves the right to change the terms of this notice and to make new notice provisions effective for all protected health information it maintains. When changes are made to this notice they will be posted at the program offices and on the agency's website which is www.guideprogram.org.

Complaints and Reporting Violations

You may complain to GUIDE and the Secretary of the United States Department of Health and Human Services if you believe that your privacy rights have been violated under HIPAA. You may make a complaint or request for privacy information from GUIDE by speaking with the Program Director at the site where you receive services. You will not be retaliated against for filing such a complaint.

Violation of the Confidentiality Law by a program is a crime. Suspected violations of the Confidentiality Law may be reported to the United States Attorney in the district where the violation occurs.