



Notice of Privacy Practices for Protected Health Information

Effective: April 14, 2003

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

Some important definitions:

The term **Protected Health Information (PHI)** includes all individually identifiable health information transmitted or maintained by a covered entity (Developmental Resources Corporation) in oral, written, or electronic form.

The term **Designated Record Set** includes medical and billing records about individuals maintained by or for a covered entity.

A note about **Personal Representatives**:

You may exercise your rights through a personal representative. Your personal representative will be required to produce evidence of his or her authority to act on your behalf before the person will be given access to your PHI or allowed to take any action for you. Developmental Resources Corporation retains discretion to deny access to your PHI to a personal representative under certain circumstances. An example would be to provide protection to those vulnerable people who may be subject to abuse or neglect.

Minimum Necessary Standard:

When using or disclosing PHI, or when requesting PHI from another covered entity, Developmental Resources Corporation will make reasonable efforts not to use, disclose, or request more than the minimum amount of PHI necessary to accomplish the intended purpose of the use, disclosure or request, taking into consideration practical and technological limitations. However, the minimum necessary standard will not apply in the following situations:

- Disclosures or requests by a healthcare provider for treatment.
- Uses or disclosures made to the individual.
- Uses or disclosures made to the Secretary of the U.S. Department of Health and Human Services.
- Uses or disclosures as otherwise required by law and/or that are required by legal regulations.

This notice does not apply to information that has been de-identified (information that does not identify an individual or where there is no reasonable basis to believe that the information could identify an individual).

I. How Developmental Resources Corporation Uses and Discloses Your Health Information/Examples of Disclosures for Treatment, Payment and Healthcare Operations:

Developmental Resources Corporation provides a broad range of services through a wide variety of human services programs. If you receive services from Developmental Resources Corporation, we may use your PHI and disclose it to:

- a) Plan and provide your care and treatment
- b) Communicate with healthcare professionals who care for you
- c) Describe the care you receive
- d) Obtain reimbursement from private insurers or other government programs
- e) Verify that services billed were actually provided
- f) Educate health professionals
- g) Inform public health officials charged with improving healthcare
- h) Administer Developmental Resources Corporation programs which provide public benefits and/or health or human services
- i) Assess and improve the services provided and the outcomes achieved
- j) Obtain payment for services you receive
- k) Inform you about other public programs and services
- l) Help you obtain medical treatment
- m) To a family member who helps make medical/financial decisions with or for you
- n) Treatment, payment, or health care operations

We will use your health information for treatment.

For example: Information obtained by a nurse, physician, or other member of your healthcare team will be recorded in your record and used to determine the course of treatment that should work best for you.

We will use your health information for payment.

For example: A bill may be sent to you or any private or public source of health coverage you have identified. The information on or accompanying the bill may include information that identifies you, as well as your diagnosis, procedures, and supplies used.

We will use your health information for regular healthcare operations.

For example: Members of a quality assurance team may use information in your health record to assess the quality of your care and the outcomes achieved in your case and others like it. This information will then be used in an effort to continually improve the quality and effectiveness of the services we provide.

Developmental Resources Corporation will not use or disclose your PHI except as described in this notice, or otherwise authorized by law.

II. Your Health Information Rights:

You have the right to:

- a) Request a restriction on certain uses and disclosures of your PHI.

You, or your personal representative, will be required to complete an *Individual Request Not to Use or Disclose Health Information* form to request restrictions on the uses and disclosures of your PHI. Developmental Resources Corporation will accommodate reasonable requests to send or receive communications or PHI by alternative means or at alternative locations. However, Developmental Resources Corporation is not required to agree to your request. Such requests should be made to DRC's Privacy Officer.

- b) Obtain a paper copy of this *Notice of Privacy Practices for Protected Health Information* upon request.
- c) Inspect and obtain a copy of your PHI.

The requested information will be provided within 30 days if the information is maintained on site or within 60 days if the information is maintained off site. A single 30-day extension may be allowed in some circumstances. You, or your personal representative, will be required to complete an *Individual Request to Inspect Health Information* form to request access to the PHI in your designated record set. Such requests should be made to DRC's Privacy Officer. If access is denied, you or your personal representative will be provided with a written denial setting forth the basis for denial and a complaint process including how you may complain to the U.S. Department of Health and Human Services.

- c) Request amendments to your PHI.

Developmental Resources Corporation will act on the request within 60 days. A single 30-day extension may be allowed in some circumstances. You, or your personal representative, will be required to complete an *Individual Request to Correct or Amend a Record* form for such requests and provide a reason to support a requested amendment. If the request is denied, in whole or in part, we will provide you with a written denial that explains the basis for our decision. You, or your personal representative, may submit a written statement disagreeing with the denial and have the statement be included in future disclosures of your PHI. Requests for amendment of PHI contained in a designated record set should be made to DRC's Privacy Officer.

- d) Obtain an accounting of disclosures of your PHI during the six years prior to the date of your request.

However, such accounting need not include disclosures made to:

- 1) Carry out treatment, payment, or healthcare operations
- 2) To individuals about their own PHI
- 3) Prior to the compliance date

The accounting will be provided within 60 days. A single 30-day extension may be allowed accompanied by a written statement of the reasons for the delay and the date by which the accounting will be provided. If you request more than one accounting in a 12-month period, Developmental Resources Corporation will charge a reasonable, cost based fee for each subsequent accounting.

- e) Request communications of your PHI by alternative means or at an alternative address.
- f) Revoke your consent to use or disclose PHI to the extent that it has not already been relied upon. Any revocation of consent must be in writing.
- g) File a complaint with Developmental Resources Corporation and/or the Secretary of the U.S. Department of Health and Human Services if you believe your privacy rights have been violated.

III. Developmental Resources Corporation's Duties

Developmental Resources Corporation is required by law to maintain the privacy of your PHI and to provide you with notice of its legal duties and privacy practices with respect to PHI. Developmental Resources Corporation has a duty to:

- a) Maintain the privacy of your PHI
- b) Abide by the terms of this notice
- c) Notify you if we are unable to agree to a requested restriction

- d) Accommodate reasonable requests you may have to communicate health information by alternative means or at an alternative address
- e) Provide an accounting of disclosures of your PHI

Developmental Resources Corporation may change its privacy practices and make the new privacy practices effective for all PHI we maintain. Should our privacy practices change, we will mail a revised notice to the address you have supplied us.

IV. Others Who May Receive Your Health Information Without Authorization

Business Associates: There are some services provided in our organization through contracts with business associates. When these services are contracted, we may disclose your health information to our business associates so that they can perform the job we've asked them to do. However, we require the business associate to appropriately safeguard your information.

Research: We may disclose information to researchers when the information is de-identified or when their research has been approved by an institutional review board that has reviewed the research proposal and established protocols to ensure the privacy of your health information.

Organ Procurement Organizations: Consistent with applicable law, we may disclose health information to organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of organs for the purpose of tissue donation and transplant.

Funeral Directors: We may disclose health information to funeral directors to carry out their duties, as required by law.

Public Health: We may disclose your health information to public health or legal authorities charged with preventing or controlling disease, injury, or disability.

Correctional Institution: Should you be an inmate of a correctional institution, we may disclose to the institution or agents thereof any health information necessary for your health and the health and safety of other individuals, or for the administration of the institution.

Law enforcement: We may disclose health information for law enforcement purposes.

Members of Your Treatment Team: We may disclose health information to Case Managers, service coordinators or other County/State/Federal officials charged with supporting your care.

V. Anti-discrimination

No person shall be subject to intimidation, coercion, discrimination, or retaliation by reason of filing a complaint or assisting in an investigation pursuant to HIPAA.

Developmental Resources Corporation will not condition treatment on the individual's providing authorization for the requested use or disclosure. The individual has the right to inspect or copy the PHI to be used or disclosed and to refuse to sign the authorization.

VI. For More Information or to Report a Problem:

If you have questions and/or would like additional information, you may contact your Support Director at:

Central Jersey

1130 Route 202 South
Raritan, NJ 08869
908-707-8844

South Jersey

650 South White Horse Pike
Hammonton, NJ 08037
609-567-9055

If you believe your privacy rights have been violated, you can file a complaint with Developmental Resources Corporation's Privacy Officer, Chuck Weikel, or with the Secretary of the United States Department of Health and Human Services, Office for Civil Rights, at (212)264-3313. There will be no retaliation for filing a complaint.