

## NOTICE OF PRIVACY PRACTICES

Respecting and protecting the privacy of personal information is very important to Hamm Clinic. Individual client records at Hamm Clinic contain personal, confidential information called "Protected Health information" (PHI) under HIPAA (the Health Insurance Portability and Accountability Act). As required by HIPAA privacy regulations, this notice describes how protected health information about Hamm Clinic clients may be used and disclosed, and your rights and responsibilities related to data privacy. The following policies and procedures are based on HIPAA Privacy requirements and applicable Minnesota state law. Please review it carefully. This Notice revised on June 1, 2016.

### Permitted Use and Disclosure

Hamm Clinic is permitted to use and disclose PHI for treatment, payment and health care operations, as described in the following examples:

For treatment – (example, treatment planning consultation within the office).

For payment – (examples: determining a client's insurance eligibility or coverage, obtaining prior authorization from an insurance company for a service, or billing a client's insurance for a service provided).

For health care operations – (examples, outcomes evaluation or quality assessment activities).

Hamm Clinic is permitted or required, under specific legal circumstances, to use or disclose PHI without written authorization from the individual (e.g., life-threatening emergencies, disclosures to law enforcement, health oversight agencies, a coroner or medical examiner, for public health purposes, specialized government functions or national security and intelligence). If a use or disclosure for any purpose described in the Privacy

Regulation is prohibited or materially limited by applicable Minnesota state law, the description of such use or disclosure reflects the more stringent law. Other uses and disclosures will be made only with the individual's written authorization. Individual may revoke such authorization however this may not be done retroactively.

Individuals may be contacted for appointment reminders.

Agency newsletters, information and solicitation materials may be sent to former clients. Anyone who does not wish to receive these materials may opt out at any time by notifying the Director of Operations by telephone (651)224-0614 or by fax (651) 224-5754. Hamm Clinic does not knowingly solicit clients currently receiving services from the agency.

### Your Rights

Individuals have the following rights regarding PHI; the extent of and exceptions to these rights are defined in the Privacy Regulation:

- The right to request restrictions on certain uses and disclosures of PHI. Hamm Clinic is not required to agree to a requested restriction, however.
- The right to receive confidential communications of PHI.
- The right to inspect and receive a paper or electronic copy of PHI.
- The right to request amendment of PHI.
- The right to receive an accounting of disclosures of PHI.
- The right to obtain a paper copy of this Notice from Hamm Clinic upon request. This right extends to an individual who has agreed to receive the Notice electronically.
- The right to restrict certain disclosures of PHI to a health plan if services are paid for out-of-pocket, in full.

- The right to be notified if there has been a breach involving your PHI.
- Federal and State laws grant clients of Hamm Clinic the right to strict privacy in regard to information about themselves. This means that no information by which a client could be identified will be given by us to anyone else at any time without written consent of the individual, unless specifically required or permitted for treatment, payment, or health care operations purposes by law. Important exceptions are that Hamm Clinic staff are required by law to report suspected abuse and neglect of children or vulnerable adults and records may be subpoenaed if a client is involved in a court action. The right to request restrictions on certain uses and disclosures of PHI. Hamm Clinic is not required to agree to a requested restriction, however.
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Individuals are not required to give any information about themselves; however, refusal to give needed information may hamper service planning. The information that is requested about clients is needed for one or more of the following reasons:

- To help us evaluate clients' needs for services and develop a plan to meet those needs;
- To determine financial eligibility for reduced service fees;
- To meet Federal, State, and Local statistical requirements.

No audio or video recording of a treatment session will be made without client permission. No one except Hamm Clinic staff or a contracted clinical consultant covered by a business associate agreement will view or listen to a treatment session or recording of a session, or read a verbatim transcript of a session unless the client gives permission.

Individuals have the right to view their PHI, with a few exceptions:

If a doctor or licensed provider believes that it will be harmful to the client or others. Information compiled in anticipation of, or for use in, a civil, criminal or administrative action or proceeding.

Clients may have the information explained to them by a Hamm Clinic clinician and may request corrections, additions, or amendments to any information in their client chart. Hamm Clinic is not required to agree to make the changes requested. In these cases, the client's

request will accompany relevant documents that are released with proper authorization.

Hamm Clinic is required by law to maintain the privacy of PHI and to provide individuals with notice of its legal duties and privacy practices with respect to PHI.

Hamm Clinic is required to abide by the terms of the Notice currently in effect.

Hamm Clinic reserves the right to change the terms of this Notice. The new Notice provisions will be effective for all PHI that it maintains.

Any revisions to the Notice will be provided to current and new clients at the individual's next session, via the agency website or by having copies available at agency sites.

Complaints may be made to Hamm Clinic and/or to the Department of Health and Human Services Office of Civil Rights, without fear of retaliation by the organization, if an individual believes their privacy rights have been violated. For questions or complaints about data privacy or client privacy rights, they may contact their clinician or the Clinical Coordinator at (651) 224-0614. A complaint to the Office of Civil Rights may be filed in writing through fax, email or the OCR Complaint Portal or by mail at:

Regional Manager  
Office for Civil Rights  
U.S. Department of Health and Human Services  
233 N. Michigan Ave., Suite 240  
Chicago, IL 60601