



Bay Cove Human Services Notice of Privacy Practices



Your Information. Your Rights. Our Responsibilities.

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

Please review it carefully.

"Bay Cove Human Services" in this notice describes the privacy practices of Bay Cove Human Services, Inc. and all affiliated entities.

Your Rights

When it comes to your health information, you have certain rights. This section explains your rights and some of our responsibilities to help you.

Get an electronic or paper copy of your medical record

- You can ask to see or get an electronic or paper copy of your medical record and other health information we have about you. Ask us how to do this.
- We will provide a copy or a summary of your health information, usually within 30 days of your request. We may charge a reasonable, cost-based fee.

Ask us to amend your medical record

- You can ask us to amend health information about you that you think is incorrect or incomplete. Ask us how to do this.
- We may say "no" to your request, but we'll tell you why in writing within 60 days.

Request confidential communications

- You can ask us to contact you in a specific way (for example, home or office phone) or to send mail to a different address.
- We will say "yes" to all reasonable requests.

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Ask us to limit what we use or share

- You can ask us **not** to use or share certain health information for treatment, payment, or our operations.
 - We are not required to agree to your request, and we may say “no” if it would affect your care.
- If you pay for a service or health care item out-of-pocket in full, you can ask us not to share that information for the purpose of payment or our operations with your health insurer.
 - We will say “yes” unless a law requires us to share that information.

Get a list of those with whom we’ve shared information

- You can ask for a list (accounting) of the times we’ve shared your health information for six years prior to the date you ask, who we shared it with, and why.
- We will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures (such as any you asked us to make). We’ll provide one accounting a year for free but will charge a reasonable, cost-based fee if you ask for another one within 12 months.

Get a copy of this privacy notice

- You can ask for a paper copy of this notice at any time, even if you have agreed to receive the notice electronically. We will provide you with a paper copy promptly.

Choose someone to act for you

- If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information.
- We will make sure the person has this authority and can act for you before we take any action.

File a complaint if you feel your rights are violated

- You can complain if you feel we have violated your rights by contacting us using the information on page 5.
- You can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 1-877-696-6775, or visiting **www.hhs.gov/ocr/privacy/hipaa/complaints/**.
- We will not retaliate against you for filing a complaint.

Your Choices

For certain health information, you can tell us your choices about what we share. If you have a clear preference for how we share your information in the situations described below, talk to us. Tell us what you want us to do, and we will follow your instructions.

In these cases, you have both the right and choice to tell us to:

- Share information with your family, close friends, or others involved in your care
- Share information in a disaster relief situation
- Include your information in a hospital directory
- Contact you for fundraising efforts

If you are not able to tell us your preference, for example if you are unconscious, we may go ahead and share your information if we believe it is in your best interest. We may also share your information when needed to lessen a serious and imminent threat to health or safety.

In these cases, we never share your information unless you give us written permission

- Marketing purposes
- Sale of your information
- Most sharing of psychotherapy notes

Our Uses and Disclosures

How do we typically use or share your health information? We typically use or share your health information in the following ways.

Treat you

- We can use your health information and share it with other professionals who are treating you.

Example: A doctor treating you for an injury asks another doctor about your overall health condition.

Run our organization

- We can use and share your health information to run our practice, improve your care, and contact you when necessary.

Example: We use health information about you to manage your treatment and services.

Bill for your services

- We can use and share your health information to bill and get payment from health plans or other entities.

Example: We give information about you to your health insurance plan so it will pay for your services.

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How else can we use or share your health information? We are allowed or required to share your information in other ways— usually in ways that contribute to the public good, such as public health and research. We have to meet many conditions in the law before we can share your information for these purposes. For more information see: www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html.

Help with public health and safety issues	<ul style="list-style-type: none">• We can share health information about you for certain situations such as:<ul style="list-style-type: none">• Preventing disease• Helping with product recalls• Reporting adverse reactions to medications• Reporting suspected abuse, neglect, or domestic violence• Preventing or reducing a serious threat to anyone's health or safety
Do research	<ul style="list-style-type: none">• We can use or share your information for health research.
Comply with the law	<ul style="list-style-type: none">• We will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we're complying with federal privacy law.
Respond to organ and tissue donation requests	<ul style="list-style-type: none">• We can share health information about you with organ procurement organizations.
Work with a medical examiner or funeral director	<ul style="list-style-type: none">• We can share health information with a coroner, medical examiner, or funeral director when an individual dies.
Address workers' compensation, law enforcement, and other government requests	<ul style="list-style-type: none">• We can use or share health information about you:<ul style="list-style-type: none">• For workers' compensation claims• For law enforcement purposes or with a law enforcement official• With health oversight agencies for activities authorized by law• For special government functions such as military, national security, and presidential protective services
Respond to lawsuits and legal actions	<ul style="list-style-type: none">• We can share health information about you in response to a court or administrative order, or in response to a subpoena.

In some circumstances, federal law prohibits disclosure of substance use disorder (SUD) records without your written permission. In addition, we will generally ask for your consent or a judge's order before we share certain sensitive information about you such as: certain Psychotherapy Documentation; HIV testing or test results; Sexually Transmitted Diseases; Genetic Test Results; Social Worker Communications; Domestic Violence Victim Counseling; Sexual Assault Victims Counseling.

SUD Record Disclosures

There are additional protections for Substance Use Disorder (SUD) records. With limited exceptions, SUD disclosures require consent, even for the purposes of treatment, payment, or health care operations. Bay Cove may only use or disclose your SUD records in the following situations:

Written Consent	<ul style="list-style-type: none">• You may provide written authorization allowing us to share your information (i.e. a doctor, family member, or insurance)• Consent must include details such as:<ul style="list-style-type: none">◦ What information is being shared;◦ with whom the information is being shared;◦ the purpose for the disclosure.• Consent may be revoked at any time, except to the extent the information has already been disclosed by us
Medical Emergency	<ul style="list-style-type: none">• In a life threatening emergency, we may disclose information to medical personnel to the extent needed to treat the person.
Court Orders	<ul style="list-style-type: none">• We can share health information about you in response to a court or administrative order, or in response to a subpoena.• Only may be disclosed with an above order and the need for the information outweighs your right to privacy.
Research, Audits, or Program Evaluation	<ul style="list-style-type: none">• We may use de-identified information for research or audit purposes by qualified and appropriate individuals, so long as your identity is protected.
Suspected Child Abuse or Neglect	<ul style="list-style-type: none">• We are required by law to report suspected child abuse or neglect to appropriate authorities, as permitted by law.
Crimes on Program Premises	<ul style="list-style-type: none">• If a crime is committed on our premises or against our staff, we may share limited information with law enforcement.

Please know that violation of Part 2 regulations is a crime and suspected violations may be reported as follows:

- To the anonymous Compliance Hotline at: 617-874-5613
- Compliance and Privacy Officer at Bay Cove: ComplianceReport@baycove.org

Alternatively,

- To the United States Attorney, United States Attorney's Office John Joseph Moakley U.S. Courthouse; One Courthouse Way, Suite 9200, Boston, MA 02210, ATTN: Duty Paralegal.
- To the Substance Abuse and Mental Health Services Administration (SAMHSA) office responsible for opioid treatment program oversight at: SAMHSA Opioid Treatment Program Compliance Officer contact the SAMHSA Center for Substance Abuse Treatment (CSAT) at 866-BUP-CSAT (866-287-2728) or infobuprenorphine@samhsa.hhs.gov.

Our Responsibilities

- We are required by law to maintain the privacy and security of your protected health information.
- We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.
- We must follow the duties and privacy practices described in this notice and give you a copy of it.
- We will not use or share your information other than as described here unless you tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you change your mind.

For more information see: www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html.

Changes to the Terms of This Notice

We can change the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available upon request, in our offices, and on our web site.

Effective date of this Notice:

Contact Us

To request a copy of your medical record, request an amendment to your medical record, request an accounting of disclosures, request a restrictions, request confidential communications, or file a complaint:

Compliance and Privacy Officer

Compliance and Privacy Officer
66 Canal St. Boston, MA 02114
Office Number: 617-371-3000
Anonymous Reporting Hotline: 617-814-5613
Email: ComplianceReport@BayCove.org

Medical Record Requests

Director of Records Management
66 Canal St. Boston, MA 02114
Office Number: 617-571-1464
Email: MHIInfoRequest@BayCove.org

Office for Civil Rights

Office for Civil Rights
200 Independence Avenue, S.W., Washington, D.C. 20201
Phone: 1-877-696-6775
Website: www.hhs.gov/ocr/privacy/hipaa/complaints/.