

NOTICE OF PRIVACY PRACTICES

Notice of Privacy Practices

This Notice describes how health information about you may be used and disclosed and how you can get access to this information. Please review it carefully.

Understanding Your Health Record/ Information

When you receive treatment from Gulf Bend MHMR Center, we will obtain health and personal information from you and create a record. This record will include information about the care that you receive from Gulf Bend Center, your health condition, and the payment for the services received.

This notice tells you about our duty to protect your health information, your privacy rights, and how we may use or disclose your health information.

Your Privacy Rights

You can request to look at or get a copy of the health information we have about you. If we deny your request we will tell you why. You can appeal our decision in some situations. If you choose to get a summary of your health information, you may have to pay a reasonable fee for it.

You can ask to correct information if you think it is wrong. We will not destroy or change your records, but will add the correct information and make a note in your records that the information has been changed. You will be notified if we are not able to correct your information as requested.

You can ask for a list of who we have given your health information to over the last six years. The list will include disclosures that are not routine or explained in this notice.

You can ask us to limit some of the ways we use or share your health information. The law does not require us to agree to it. If we agree, we will put the agreement in writing and follow it, except in case of an emergency or when required by law.

You can ask us to contact you at a different place or in some other way. We will agree if your request is reasonable.

You have the right to take back your written permission for Gulf Bend Center to disclose your health information. You will be unable to take back your permission if your information was already disclosed based on your written permission.

You can get a copy of this notice any time that you ask for it.

You must provide us with a written request for the above privacy rights, except for requests to obtain a paper copy of this notice. Requests should be mailed to Gulf Bend Center's Privacy Officer, 6502 Nursery Drive, Ste. 100, Victoria, Texas 77904.

Gulf Bend Center's Duties

We are required by law to protect the privacy of your health information. We will not use or let other people see your health information without your permission, except in the ways we tell you in this notice.

- We will ask you for your written permission (authorization) to use or disclose your health information. There are times when we are allowed to use or disclose your health information without your permission, as explained in this notice.
- We are required by law to give you this notice of our legal duties and privacy practices. We are required to follow the terms of this notice. We will ask you to sign an acknowledgement that you received this notice. We can change the contents of this notice. If we do, we will have copies of the new notice at our service sites and on our website – www.gulfbend.org.
- Our employees must protect the privacy of your health information as part of their jobs. We do not let our employees see your health information unless they need it as part of their jobs.
- We will not disclose information about you related to HIV/AIDS without your specific written permission, unless the law allows us to disclose the information.
- If you are being treated for alcohol or drug use, your records are protected by federal law and regulations found in the Code of Federal Regulations at Title 42, Part 2. Violation of these laws that protect alcohol or drug abuse treatment records is a crime, and suspected violations may be reported to appropriate authorities in accordance with federal regulations. Federal law will not protect any information about a crime committed by you either at Gulf Bend Center or against any person who works for Gulf Bend Center 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.

Gulf Bend Center may only disclose information about alcohol or drug abuse treatment without your permission as follows:

- Pursuant to a special court order that complies with Federal Regulations;
- For a medical emergency;
- For research, audit, or program evaluation; or
- To Advocacy, Inc. and/or the Texas Department of Protective and Regulatory Services, as allowed by law, to investigate a report that you have been abused or have been denied your rights.

Treatment, Payment and Health Care Operations

We may use or disclose your health information to provide care to you, to obtain payment for that care, or for our own health care operations. Health information about you may be exchanged between the Texas Department of Mental Health and Mental Retardation, local mental health or mental retardation authorities, community MHMR centers, and contractors of mental health and mental retardation services, for purposes of treatment, payment, or health care operations without your permission.

Treatment

We may share health information about you to provide, coordinate, or manage health care or related services. This includes providing care to you, consulting with another health care provider about you, and referring you to another health care provider. Example: We may provide your primary care physician with copies of various reports to assist in treating you once you are discharged from care at the Center. The Center will also disclose your health information to medical personnel in the case of a medical emergency or crisis.

Payment

We can use or disclose health information to arrange for payment for providing services to you, such as the Medicaid program. Example: Information about your diagnosis and the services we provided is included in the bills we submit to your health insurance plan so they can confirm that services were provided.

Health Care Operations

We can also use your health information for health care operations such as care coordination, conducting licensing activities, providing auditing functions, business planning, and reviewing performance of professionals. Example: Our quality assurance staff reviews records to be sure we are delivering appropriate treatment of high quality.

Unless you are receiving treatment for alcohol or drug abuse, Gulf Bend Center is permitted to use or disclose your health information without your permission for the following purposes:
When required by law.

To report suspected child abuse or neglect to a government authority.

For research. We may disclose your health information if a research board says it can be used for a research project, or if information identifying you is removed from your health information.

To a government authority if we think that you are a victim of abuse. We may disclose your health information to a person legally authorized to investigate a report that you have been abused or denied your rights.

To Advocacy, Inc. in accordance with federal law, to investigate a complaint by you or on your behalf.

For public health and health oversight activities. We will disclose your health information when we are required to collect information about a disease or injury, for public health investigations, or to report vital statistics.

For purposes relating to death. If you die, we may disclose health information about you to your personal representative and to coroners or medical examiners to identify you or determine the cause of death.

To a correctional institution if you are in their custody and your health information is needed to provide health care to you.

For a government benefits program. We may use or disclose your health information needed to operate a government benefit program, such as Medicaid.

To your legally authorized representative (LAR). We may share your health information with a person appointed by a court to represent your interests.

In judicial and administrative proceedings, we may disclose your health information if a court or administrative judge has issued an order or subpoena that requires us to disclose it.

To the Secretary of Health and Human Services when requested in order to enforce the privacy laws.

To Business Associate. Some services are provided to or on our behalf through contracts with business associates. This may include information technology support. Personnel employed by these business associates may have access to all or part of your health information. Therefore, we require all of our business associates to appropriately safeguard your information.

Appointment reminders. We will mail you reminders of your appointments unless you request us not to do so.

For further information or if you have any questions you may contact Gulf Bend Center's Privacy Officer at (361) 582-2358.

If you believe your privacy rights have been violated, you can file a complaint with Gulf Bend Center's Rights Protection Officer at (361) 582-2317 or (361) 582-2358, 6502 Nursery Drive, Suite 100, Victoria, Texas 77904. You may also complain by filing a complaint with the Texas Department of Mental Health Mental Retardation Consumer Services and Rights Protection/Ombudsman Office, (512) 206-5760 (Austin) or (800) 252-8154 (toll free), P.O. Box 12668, Austin, Texas 78711 or with the Secretary of the United States Department of Health and Human Services at the Hubert H. Humphrey Building, 200 Independence Ave., S.W., Washington, D.C. 20201. You may also contact Office of Attorney General, P.O. Box 12548, Austin, Texas 78711, (800) 463-2100, www.oag.state.tx.us

Gulf Bend Center will not retaliate against you if you file a complaint.