

Notice of Privacy Practices

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 et seq., 45 C.F.R. Parts 160 and 164, and the Confidentiality Law, 42 U.S.C. 290dd-2. 42 C.F.R. Part 2. Under these laws, Prelude Behavioral Services may not say to a person outside Prelude that you attend the program, nor may Prelude disclose any information identifying you as an alcohol or drug abuser, or disclose any other protected information except as permitted by federal law.

Prelude must obtain your written consent before it can disclose information about you for payment purposes. For example, Prelude 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 Prelude can share information for treatment purposes or for health care operations. But there are some circumstances under which federal law permits disclosure whether or not you have given your consent, including:

1. Pursuant to an agreement with a qualified service organization/business associate;
2. Audit or evaluations;
3. To report a crime committed on Prelude’s premises or against Prelude personnel;
4. To medical personnel in a medical emergency;
5. To appropriate authorities to report suspected child abuse
6. As allowed by a court order
7. No patient-identifying information
8. Research
9. Internal Communications

For example, Prelude 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.

Prelude must obtain your written consent before it can use or disclose psychotherapy notes, before it can use or disclose protected health information for marketing purposes, and before it can use or disclose your health information in a manner that would constitute a sale of said information.

Before Prelude 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 at any time.

Your Rights

Under HIPAA you have the right to request restriction on certain uses and disclosures of your health information. Prelude 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.

If you request restriction on a disclosure to a health plan for purposes of payment or health care operations (not for treatment), Prelude must grant the request if the health information pertains solely to an item or a service for which we have been paid in full.

You have the right to request that we communicate with you by alternative means or at an alternative location. Prelude will accommodate such requests that are reasonable and will not request explanation from you.

Under HIPAA you also have the right to inspect and copy your own health information maintained by Prelude, but again, this right is not absolute. In certain situations, such as if access would cause harm, your right to access may be denied. You do not have a right of access to the following:

- Psychotherapy notes;
- Information compiled in reasonable anticipation of or for use in civil, criminal, or administrative actions or proceedings;
- Information that was obtained from someone other than a health care provider under a promise of confidentiality and the requested access would be reasonably likely to reveal the source of the information.

In other situations, we may deny access, but if we do, we will explain why and what your rights are, including how to seek a review of the decision.

Under HIPAA you also have the right, with some exceptions, to amend health care information maintained in Prelude's records, and to request and receive an accounting of disclosures of your health related information made by Prelude during the six years prior to your request. You also have the right to receive a paper copy of this notice.

Also under HIPAA, you have the right to receive, and Prelude is required to provide you with, notification should a breach of your unsecured protected health information occur.

Prelude's Duties

Prelude 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. Prelude is required by law to abide by the terms of this notice. Prelude reserves the right to change the terms of this notice and to make new notice provisions effective for all protected health information it maintains. Any changes to this notice will be posted in all waiting areas of Prelude, and individual copies of the notice of changes will be provided at no charge when requested.

Complaints and Reporting Violations

You may complain to Prelude 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. A complaint can be filed with Prelude by providing a written summary of your complaint to the Compliance Officer. Your written summary should contain a description of Prelude's actions that you believe violate your protected rights under HIPAA, the dates of the violation, and the staff members involved. This material should be sent to the Compliance Officer, Prelude Behavioral Services, 430 Southgate Avenue, Iowa City, IA 52240. 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.

Contact

For further information, contact the Clinical Director, Prelude Behavioral Services, 430 Southgate Avenue, Iowa City, IA 52240.

Effective Date

The effective date of this notice is September 23, 2013.