



Families First
80 Joseph E. Lowery Blvd. NW
Atlanta, GA 30314

Notice of Privacy Practices

Effective Date: April 14, 2003

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION

PLEASE REVIEW THIS NOTICE CAREFULLY

- Families First Agency includes all of its programs and sites where services are provided to its clients, including individuals, children and families.
- In this notice, "you" refers to you, your child, and/or your family.

Families First Agency ("Families First") understands that your medical information and information about your health is personal. We create and maintain a record of the care and services you receive at Families First. We need this record to provide you with quality care and to comply with certain legal requirements. We are committed to maintaining the privacy of your protected health information ("PHI"), which includes your medical and/or mental health condition and the care and treatment you receive from Families First. Your PHI may also include your family's PHI.

Families First is required by federal and state law to protect your PHI and to provide you with this Notice of Privacy Practices. Specifically, the Health Insurance Portability and Accountability Act ("HIPAA") requires that we provide you with this Notice.

This Notice details how your PHI may be used and disclosed to another party to carry out treatment, payment for your treatment, day-to-day business activities (health care operations as defined below) of Families First, and for other purposes permitted or required by law. This Notice also provides information on your rights regarding your PHI.

Families First is required to abide by the terms of this Notice of Privacy Practices. We may change the terms of this Notice at any time. The new Notice will be effective for all PHI that we maintain at that time. You may receive a revised Notice Privacy Practices by one of the following methods:

- accessing our web site at www.familiesfirst.org;
- calling 404-853-2800 and requesting that a revised copy be sent to you by mail, e-mail, fax; or
- asking for a copy in-person.

I. USE OR DISCLOSURE OF PHI

A. USE OR DISCLOSURE OF PHI FOR TREATMENT, PAYMENT, AND HEALTHCARE OPERATIONS

As permitted by HIPAA, Families First may use and/or share your PHI without your written authorization for your treatment, payment for your treatment, and health care operations of Families First.

1. The following are examples of the types of uses of and/or ways of sharing your PHI that may occur. These examples are not meant to include all possible types of use and/or disclosure.
 - a) **Treatment** – In order to provide, arrange and manage your health care, Families First will provide your PHI to your health care providers and Families First’s staff directly involved in your care so that they may understand your medical and/or mental health condition and needs and provide advice and/or treatment. For example, a health provider treating your child for a condition may need to know what medications have been prescribed for him/her by other health care providers in the community.
 - b) **Payment** – Your PHI will be used, as needed, to obtain payment for services provided to you. Families First will provide your PHI to a billing service or appropriate third party payor, as necessary. We may use and disclose PHI so that we can bill and collect payment for the treatment and services provided to you. Before providing services, we may share details with a third-party payor concerning your service. For example, we may:
 - i. ask for verification of eligibility from a third-party payor; and/or
 - ii. use and disclose PHI to find out if the third-party payor will cover the cost of the services we provide.

We may also disclose PHI to another health care provider or to a company or health plan required to comply with the HIPAA Privacy Rule for the payment activities of that health care provider, company, or health plan. For example, we may allow a health insurance company to review PHI for the insurance company’s activities to determine the insurance benefits to be paid for your care.

- c) **Health Care Operations** (including day-to-day business activities) – Families First may use or share, as needed, your PHI in order to support the business activities and operations of Families First, including as required by law or funding requirements, to continue the quality and efficient care we provide. We may use and disclose your PHI when we are engaged in the following health care operations:
 - i. Reviewing and improving the quality, efficiency and cost of care provided to clients and the health care providers who order services on behalf of clients.
 - ii. Providing training programs for students, trainees, health care providers, or non-health care professionals (for example, billing personnel) to help them practice or improve.
 - iii. Cooperating with outside organizations that evaluate, certify, or license health care providers or staff.
 - iv. Cooperating with various people who review our activities. For example, PHI may be seen by doctors reviewing the services provided to you, and by accountants, lawyers, and others who assist us in complying with the law and managing our business.
 - v. Assisting us in making plans for our practice’s future operations.
 - vi. Resolving grievances with our practice.
 - vii. Business management and general administrative activities of our practice, including planning, development, cost-management, or complying with the HIPAA Privacy rule and other legal requirements.
 - viii. Creating “de-identified” information that is not identifiable to any individual.

If another health care provider, company, or health plan that is required to comply with the HIPAA Privacy Rule has or once had a relationship with you, we may disclose your PHI for certain health care operations of that health care provider or company.

We may also disclose PHI for the health care operations of an “organized health care arrangement” in which we participate.

We may disclose your PHI to your family member if that person is identified as the insured person on your health insurance.

B. AUTHORIZATION NOT REQUIRED

1. In addition to treatment, payment or health care operations, Families First may also use and/or share your PHI, without a written authorization from you and without providing you the opportunity to object, in the following instances:
 - a) **Research** – Families First may use and disclose your PHI for research purposes under certain limited circumstances. Generally, we must obtain a written authorization to use and disclose your PHI for research purposes except in situations where a research project meets specific, detailed criteria established by the HIPAA Privacy Rule to ensure the privacy of PHI.
 - b) **Business Associate** – Families First may share your PHI with a business associate. A business associate is someone Families First contracts with to provide services on behalf of Families First (e.g., billing service or transcription service). Families First will obtain written assurance, in accordance with applicable law, confirming that the business associate will protect your PHI.
 - c) **Personal Representative** – Families First may share your PHI with a person who, under law, has the authority to represent you in making health care decisions.
 - d) **Federal Drug Administration (FDA)** – As required by the FDA, Families First may share your PHI to report adverse events, product defects or problems, biological product deviations, to track products, to enable product recalls, repairs or replacements, or to conduct post-marketing surveillance.
 - e) **Abuse, Neglect or Domestic Violence** – Families First is required by law to make such disclosures of abuse, neglect, or domestic violence to appropriate government authorities. Families First will do so if it believes that sharing the PHI is necessary to prevent serious harm or if Families First reasonably believes that you have been the victim of abuse, neglect or domestic violence. Any such disclosure will be made in accordance with the requirements of law, which may also involve providing notice to you of the disclosure.
 - f) **Health Oversight Activities** – Families First may share your PHI with a health care system, government benefit program, government regulatory program, and/or an organization subject to civil rights laws for health oversight activities. These activities include criminal investigations, audits, disciplinary actions, or general oversight activities.
 - g) **Court and Administrative Proceeding** – Families First may be required to share your PHI in response to a court order or subpoena. In the case of mental health records, your authorization may be requested, but is not required, before Families First releases this information.
 - h) **Law Enforcement Purposes** – In certain instances, Families First may have to share your PHI may have to be shared with law enforcement for law enforcement/emergency purposes. Law enforcement purposes include, but are not limited to:
 - complying with a legal process (e.g., a grand jury subpoena);
 - identifying the victim of a crime;
 - reporting of certain types of wounds or other physical injuries;
 - providing evidence of a crime that occurred at Families First; and
 - alerting law enforcement about a medical emergency that did not occur on Families First's premises if it appears that a crime has occurred.
 - i) **Avert a Threat to Health or Safety** – Families First may share your PHI if it believes that sharing such information is necessary to prevent or lessen a serious and probable threat to the health or safety of a

person or the public and the disclosure is to an individual who is reasonably able to prevent or lessen the threat.

- j) **Public Health Activities** – Families First may use or disclose PHI to public health authorities or other authorized person to carry out certain activities related to public health, including the following activities:
- to prevent or control disease, injury, or disability;
 - to report disease, injury, birth, or death;
 - to report child abuse or neglect;
 - to report reactions to medications or treatment;
 - to locate and notify persons of recall of products they may have used;
 - to notify a person who may have been exposed to a communicable disease to control who may be at risk of contracting or spreading the disease; or
 - to report to your employer, under limited circumstances, information related primarily to workplace injuries or illness or workplace medical surveillance.
- k) **Specialized Government Functions** – Families First may use PHI of individuals who are Armed Forces personnel: (1) for activities deemed necessary by appropriate military command authorities; (2) for the purpose of a determination by the Department of Veteran Affairs of eligibility for benefits; or (3) to a foreign military authority if you are a member of that foreign military service. Families First may also share your information to authorized federal officials for conducting national security and intelligence activities including the provision of protective services to the President or other individuals.
- l) **Inmates** – Families First may share your PHI to a correctional institution or a law enforcement official if you are an inmate of that correctional facility and your information is necessary to provide care and treatment to you or is necessary for the health and safety of other individuals or inmates.
- m) **Required by Law** – Families First may share your PHI if required by law, but such use or disclosure will be made in compliance with the law and limited to the requirements of the law.
- n) **Emergencies** – Families First may use or share your PHI in an emergency treatment situation. If treatment is required by law and the health care provider has attempted to obtain your consent but is unable to, they may use or share your PHI for emergency treatment purposes.
- o) **Communication Barriers** – Families First may use and share your PHI if your service planner or other Families First personnel tries to communicate with you for treatment purposes but is unable to do so due to a communication barrier and the service planner or staff determines, using his/her professional judgement, that you intend to authorize the use or disclosure under the circumstances (e.g., language barriers where an interpreter is needed or hearing impairment).
- p) **Sign-in Sheets** – Families First may use a sign-in-sheet at the registration desk. Families First may also call your name in the waiting room when your service planner is ready to see you.
- q) **Appointment Reminders** – Families First may, from time to time, contact you to provide appointment reminders.
- r) **Treatment Alternatives/Benefits** – Families First may, from time to time, contact you about treatment alternatives, or other health benefits or services that may be of interest to you.
- s) **On-Call Coverage** - In order to provide on-call coverage for you, it is necessary that Families First establish relationships with other organizations/agencies/health care providers who will take your calls after hours or if your service planner is not available. The on-call staff will provide Families First with any PHI that they create and will, by agreement, keep your PHI confidential.

2. Families First may also use and/or share your PHI, without a written authorization from you if we provide you the opportunity to object in the following instances:
 - a) **Client is Present** – If you are present and able to consent or object, then we may only use or disclose PHI if you do not object. If you do not object, then we may make these types of uses and disclosures of PHI. If you are incapacitated, there is an emergency situation, or you are not available, we generally may make such uses and disclosures, if in the exercise of our professional judgment, the use or disclosure is in your best interests.
 - b) **Facility Directories** – Families First may rely on an individual's informal permission to list in its facility directory the individual's name, general condition, religious affiliation, and location in the provider's facility. Clergy may also be told your religious affiliation.

C. AUTHORIZATION

Uses and/or disclosures of PHI, other than those described above, will be made only with your written authorization. You may cancel the authorization, at any time, in writing, except to the extent that Families First has taken an action in reliance on the use or disclosure indicated in the authorization.

D. MARKETING & FUNDRAISING

Families First may only use and/or disclose your PHI for marketing activities if we obtain from you prior written authorization. "Marketing" activities include communications to you that encourage you to purchase or use a product or service, and the communication is not made for your care or treatment. Marketing also includes the receipt by Families First of remuneration (monies), directly or indirectly, from a third party whose product or service is being marketed. However, marketing does not include, for example, sending you a newsletter about Families First.

Families First may use and/or disclose your demographic information and the dates that you received treatment from Families First, as necessary, in order to contact you for fundraising activities supported by Families First (e.g., Families First DFAD). If you do not want to receive these materials, please contact Families First at 80 Joseph E. Lowery Blvd. NW, Atlanta, GA 30314, Attention: Chief Development Officer, to request, in writing, that these fundraising materials not be sent to you and/or to restrict the use of your PHI for these purposes.

E. FAMILY and/or FRIENDS

It is the policy of Families First, as well as required by law, that we will not confirm or deny if someone is receiving or has received services by Families First. In situations where someone is looking for you or your child, we will instruct them to contact you for that information.

Families First may sponsor events (i.e., school functions, birthday parties, picnics, school photos) in which parents and/or significant family members may take photographs or videotapes of their children at the events. It is possible they may capture you in the photograph and/or videotape. In the event Families First takes photographs or video of an event, we will not use images of you or your child in any publication without your consent.

II. YOUR RIGHTS

1. You have the right to:
 - a) Cancel an authorization, in writing, at any time. To request a (cancellation) revocation, you must submit a written request to Families First at 80 Joseph E. Lowery Blvd. NW, Atlanta, GA 30314, Attention: Privacy Officer.

- b) Request restrictions on certain use and/or disclosure of your PHI as provided by law. To request restrictions, you must submit a written request to Families First at 80 Joseph E. Lowery Blvd. NW, Atlanta, GA 30314, Attention: Privacy Officer. In your written request, you must inform Families First of:
- what information you want to limit;
 - whether you want to limit Families First's use or disclosure, or both; and
 - to whom you want the limits to apply.

Families First is not required to agree to a restriction that you may request. If we do agree to the requested restriction, we may not use or disclose your information in violation of that restriction unless it is needed to provide emergency treatment.

- c) Receive confidential communications or information by alternative means or at alternative locations. You can request that we contact you at alternate locations or contact you by e-mail or fax*. You must make your request, in writing, to Families First at 80 Joseph E. Lowery Blvd. NW, Atlanta, GA 30314, Attention: Privacy Officer. Families First will accommodate all reasonable requests.

*** If you would like alternative ways of communication (e-mail, fax, alternate phone numbers, etc.), please contact your service provider in writing or contact Families First at 80 Joseph E. Lowery Blvd. NW, Atlanta, GA 30314, Attention: Privacy Officer.**

- d) Inspect and request a copy of your PHI, as provided by law, by submitting a written request to Families First at 80 Joseph E. Lowery Blvd. NW, Atlanta, GA 30314, Attention: Privacy Officer. Families First is allowed to charge you a fee for the cost of copying, mailing or other supplies associated with completing your request. In certain situations that are defined by law, Families First may deny your request, but you will have the right to have the denial reviewed as set forth more fully in the written denial notice.

- e) Amend your PHI, as provided by law. To request an amendment, you must submit a written request to Families First at 80 Joseph E. Lowery Blvd. NW, Atlanta, GA 30314, Attention: Privacy Officer. You must provide a reason that supports your request. Families First may deny your request if:

- It is not in writing;
- You do not provide a reason in support of your request;
- The information to be amended was not created by Families First (unless the individual or entity that created the information is no longer available);
- The information is not part of your PHI maintained by Families First;
- The information is not part of the information you would be permitted to inspect and copy; and/or
- The information is accurate and complete.

If you disagree with Families First's denial, you will have the right to submit a written statement of disagreement to us. Families First may prepare a response to your statement and will provide you with a copy.

- f) Receive an accounting of who your PHI has been shared with, what was shared and when it was shared. This right applies to those purposes other than treatment, payment or health care operations as described earlier in this Notice of Privacy Practices. It does not include those times PHI was shared with you for notification purposes. You have the right to receive specific information regarding these disclosures that occurred after April 14, 2003. To request an accounting, you must submit a written request to Families First's [insert title, name and address].

The request must state:

- A time period which may not be longer than six (6) years and may not include dates before April 14, 2003; and
- In what form you would like to receive the accounting (such as a paper or electronic copy).

There will be no charge for the first list you request within a twelve (12) month period, but Families First may charge you for the cost of providing additional lists. Families First will notify you of the costs involved and you can decide to withdraw or modify your request before any costs are incurred.

- g) Receive a paper copy of this Notice of Privacy Practices from Families First upon request to Families First at 80 Joseph E. Lowery Blvd. NW, Atlanta, GA 30314, Attention: Privacy Officer.
- h) Complain to Families First or to the Secretary of the United States Department of Health and Human Services if you believe your privacy rights have been violated. To file a complaint with Families First, you may submit a written complaint to Families First at 80 Joseph E. Lowery Blvd. NW, Atlanta, GA 30314, Attention: Privacy Officer. You may also call 404-853-2800. You may visit the following website for information on filing a complaint with the United States Department of Health and Human Services: <http://www.hhs.gov/ocr/privacy/hipaa/complaints/index.html>.
- i) To obtain more information on, or have your questions about your rights answered, you may contact Families First at 80 Joseph E. Lowery Blvd. NW, Atlanta, GA 30314, Attention: Privacy Officer or by calling (404) 853-2800.

III. FAMILIES FIRST'S REQUIREMENTS

Families First:

- a) Is required by law to notify you no later than 60 days after the discovery of a breach if your unsecured PHI has been, or we reasonably believe it to have been accessed, acquired, or disclosed as a result of the breach. A notification for this purpose will be sent to you by first-class mail, or, if you prefer, it may be sent to you by electronic mail. This preference may be requested by contacting the person listed below.
- b) Is required by law to maintain the privacy of your PHI and to provide you with this Notice of Privacy Practices stating Families First's privacy practices with respect to your PHI.
- c) Is required to abide by the terms of this Notice of Privacy Practices.
- d) Reserves the right to change the terms of this Notice of Privacy Practices and to make the new Notice of Privacy Practices provisions effective for all of your PHI that we maintain.
- e) Will not retaliate against you for making a complaint.
- f) Must make a good faith effort to obtain from you an acknowledgement of receipt of this Notice of Privacy Practices.