

# La Hacienda's Notice of Privacy Practices

Effective Date: April 14, 2003

Last Revised: December 2011

**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.**

La Hacienda is bound by federal confidentiality laws (42 CFR Part 2 and 45 CFR Parts 160 and 164, Subparts A and E). Your healthcare records are Protected Health Information (PHI) about you and your health. These laws protect the confidentiality of this information. PHI is information about you, including demographic information that may identify you as a patient. This information relates to your past, present and future physical or mental health or condition and related healthcare services.

This Notice describes the privacy practices of La Hacienda, which includes each of our facilities (Inpatient Program, Intensive Outpatient Program, Outreach Offices) in the following locations: Hunt, Texas; Kerrville, Texas; Austin, Texas; College Station, Texas; Houston, Texas; San Antonio, Texas; Irving, Texas; Midland, Texas. When we say "La Hacienda" we mean all of these facilities, individually and collectively.

All of the people that make up La Hacienda follow this Notice. La Hacienda includes doctors, skilled nursing services, pharmacy services, laboratory services and other related health care providers. La Hacienda also includes departments and staff within our health care facilities, health care professionals permitted by us to provide services to you, students, trainees, and others involved in providing your care. La Hacienda may share and use your health information for the purposes of treating you, obtaining payment for services provided to you, and or/health care operations as described in this Notice.

As part of our normal business, there are meetings or other events held at the "Service Delivery Sites" resulting in visitation from individuals such as former patients, family members, friends, etc. All visitors are required to sign in at reception and, by doing so, are verifying that they understand the confidentiality of our patients should be protected. How We May Use and Disclose Health Information about You:

**For Treatment:** We will use and disclose your health information to provide you with treatment services. With your authorization, we may use and disclose your health information as part of a referral to a specialist physician or for other treatment related services if necessary. Your authorization is not required in a medical emergency; however, the information released will be limited to only that which is necessary for the emergency services being rendered.

**For Payment:** With your authorization, we may use and disclose your health information to receive payment for the treatment services provided, such as sending billing information to a health insurance plan.

**For Healthcare Operations:** We may use and disclose your protected health information for administrative purposes in order to evaluate the quality of care that you receive through audits and/or on-site inspections by licensing and accrediting entities or through our normal course of business with other entities with whom we have a Business Associate Agreement. These agreements are put in place to help protect your PHI from further disclosure and to specify that they are responsible for the security of that information.

**Without Authorization:** We may use or disclose identifiable health information about you without your authorization for several other reasons, subject to certain requirements: for public health purposes, abuse or neglect reporting, auditing purposes, by court order, and in medical emergencies. We provide information when required by law, such as for law enforcement if you commit a crime on program premises or against program personnel.

**With Authorization:** In any other situation, we will ask for your written authorization before using or disclosing any identifiable health information about you. If you choose to sign an authorization to disclose information, you can later revoke that authorization to stop any future uses and disclosures.

### **Your Rights Regarding Your PHI:**

You have the following rights regarding the PHI we maintain about you:

- **Right to Access, Inspect and Copy.** You have the right to look at, which may be restricted under certain circumstances, your health information used to make decisions about you and your care. This is usually done in the presence of the physician or your case manager. You have the right to a copy of your records. If you are a current patient and wish to receive a copy of your record, you will need to do so in writing with a staff member, for example, your case manager. Your record will be forwarded to you within three weeks of discharge. We may charge a reasonable cost-based fee for copies.
- **Right to Amend.** If you feel information in your record is incorrect or if important information is missing, you have the right to request that we amend the information. We are not required to agree to the amendment. The request for amendment needs to be in writing. Please contact the Privacy Officer listed below.
- **Right to an Accounting of Disclosures.** You have the right to request in writing an accounting of the disclosures we make of your PHI for reasons other than treatment, payment or healthcare operations.
- **Right to Request Restrictions.** You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. You have the right to request in writing a restriction or limitation on the use of your PHI for treatment, payment, or healthcare operations. We are not required to agree to your request.
- **Right to a Copy of This Notice.** You have a right to a copy of this notice.
- **Complaints.** You have the right to file a complaint in writing to us or to the Secretary of Health and Human Services if you believe we have violated your privacy rights. The person listed below can provide you with the appropriate address upon request. *We will not retaliate against you for filing a complaint.*

**Our Legal Duty** - We are required by law to protect the privacy of your information, provide this notice about our information practices, and follow the information practices that are described in this notice. We may change our policies at any time. Before we make a significant change in our policies, we will change our notice and post the new notice on our website – [www.lahacienda.com](http://www.lahacienda.com). You can also request a copy of our notice at any time. For more information about our privacy practices, contact the person listed below.

If you have any questions about this Notice of Privacy Practices, please contact:

The Privacy Officer  
La Hacienda  
P.O. Box 1  
Hunt, Texas 78024  
(800) 749-6160

Please provide your name, address and the nature of your question or concern. We will report the outcome of our inquiry to you.

### **Further Clarification on Uses and Disclosures That Do Not Require Your Authorization**

**Consistent with State Law.** We may use or disclose your PHI to the extent that the use or disclosure is required by law, made in compliance with the law, and limited to the relevant requirements of the law. You will be notified, as required by law, of any such uses or disclosures. Under the law, we must make disclosures of your PHI to you upon your request. In addition, we must make disclosures to the Secretary of Health and Human Services for the purpose of investigating or determining our compliance with the requirements of the of the Privacy Rule.

**Child Abuse or Neglect.** We may disclose your PHI to a state or local agency that is authorized by law to receive reports of child abuse or neglect; however, the information we disclose is limited to only that information which is necessary to make the initial mandated report.

**Communicable Disease.** We may disclose your PHI to a state or local agency that is authorized by law to receive reports of diagnosed communicable disease; however, the information we disclose is limited to only that information which is necessary to make the initial mandated report.

**Health Oversight.** We may disclose PHI to a health oversight agency for activities authorized by law, such as audits, investigations, and inspections. Oversight agencies seeking this information include government agencies and organizations that provide financial assistance to the program (such as third-party payers) and peer review organizations performing utilization and quality control.

**Medical Emergencies.** We may use or disclose your PHI in a medical emergency situation to medical personnel only. The information will be limited to that which is needed to provide you with the emergency services.

**Deceased Patients.** We may disclose PHI regarding deceased patients for the purpose of determining the cause of death, in connection with laws requiring the collection of death or other vital statistics, or permitting inquiry into the cause of death.

**Criminal Activity on the Program Premises/Against Program Personnel.** We may disclose your PHI to law enforcement officials if you have committed a crime on program premises or against program personnel.

**Court Order.** We may disclose your PHI if the court issues an appropriate order and follows required procedures. Your PHI will also be released to our Corporate Attorney.