

**Our Mission** | Easterseals Midwest provides exceptional services, education, outreach, and advocacy so that people living with autism and developmental disabilities – learn, work, and participate in the community.

**Notice of Privacy Practices** | This document describes how medical information about you may be used and disclosed, and how you can get access to this information. Please review it carefully.

**Our Duty to Safeguard Your Protected Health Information** | Individually identifiable information about your past, present, or future health or condition, the provision of health care to you, or payment for health care is considered “Protected Health Information” (PHI). We are required to extend certain protections to your PHI and to give you this Notice about our privacy practices that explains how, when, and why we may use or disclose your PHI. Except in specified circumstances, we must use or disclose only the minimum necessary PHI to accomplish the intended purpose of the use or disclosure.

**How We May Use and Disclose Your Protected Health Information** | We use and disclose Personal Health Information for a variety of reasons. We have a limited right to use and/or disclose your PHI for purposes of treatment, payment, and for our health care operations. For uses beyond that, we must have your written authorization unless the law permits or requires us to make the use or disclosure without your authorization. The following describes and offers examples of our potential uses/disclosures of your PHI.

**Uses and Disclosures Relating to Treatment, Payment, or Health Care Operations** | Generally, we may use or disclose your PHI as follows:

**For treatment:** We may disclose your PHI to doctors, nurses, and other health care personnel who are involved in providing your health care.

For example, your PHI will be shared among members of your treatment team, or with our central program staff. Your PHI may also be shared with outside entities performing ancillary services relating to your treatment, such as lab work or x-rays, or for consultation purposes, or CARF and/or community mental health agencies involved in the provision or coordination of your care.

**To obtain payment:** We may use/disclose your PHI in order to bill and collect payment for your health care services. For example, we may contact your employer to verify employment status, and/or release portions of your PHI to the Medicaid program, the DMH central office, other agencies, and/or a private insurer to get paid for services that we delivered to you.

**For health care operations:** We may use/disclose your PHI in the course of your program services. For example, we may use your PHI in evaluating the quality of services provided, or disclose your PHI to our accountant for billing purposes. Since we are an integrated system, we may disclose your PHI to designated staff in our other facilities, programs, or our central office for similar purposes. Release of your PHI to the state agencies might also be necessary to determine your eligibility for publicly funded services.

**Appointment reminders:** Unless you provide us with alternative instructions, we may send appointment reminders and other similar materials to your home.

**Marketing and Fundraising:** Unless you provide us with alternative instructions, we may contact you regarding any marketing or fundraising activities in which we engage.

**Uses and Disclosures of PHI Requiring Authorization** | For uses and disclosures beyond treatment, payment, and operations purposes, we are required to have your written authorization unless the use or disclosure falls within one of the exceptions described below. Authorizations can be revoked at any time to stop future uses/disclosures except to the extent that we have already undertaken an action in reliance upon your authorization.

**Uses and Disclosure of PHI from Mental Health Records Not Requiring Consent or Authorization** | The law provides that we may use/disclose your PHI from mental health records without consent or authorization in the following circumstances:

**When required by law:** We may disclose PHI when a law requires that we report information about suspected abuse, neglect or domestic violence, or relating to suspected criminal activity or in response to a court order. We must also disclose PHI to authorities that monitor compliance with these privacy requirements.

**For public health activities:** We may disclose PHI when we are required to collect information about disease or injury, or to report vital statistics to the public health authority.

**For health oversight activities:** We may disclose PHI to our central office, the protection and advocacy agency, or another agency responsible for monitoring the health care system for such purposes as reporting or investigation of unusual incidents, and monitoring of the Medicaid program.

**Relating to decedents:** We may disclose PHI related to a death to coroners, medical examiners, or funeral directors, and to organ procurement organizations relating to organ, eye, or tissue donations or transplants.

**To avert threat to health or safety:** In order to avoid a serious threat to health or safety, we may disclose PHI as necessary to law enforcement or other persons who can reasonably prevent or lessen the threat of harm.

**For specific government functions:** We may disclose PHI of military personnel and veterans in certain situations, to correctional facilities in certain situations, to government benefit programs relating to eligibility and enrollment, and/or national security reasons, such as protection of the President.

**Uses and Disclosures of PHI from Alcohol and Other Drug Records Not Requiring Consent or Authorization |** The law provides that we may use/disclose your PHI from alcohol and other drug records without consent or authorization in the following circumstances:

**When required by law:** We may disclose PHI when a law requires that we report information about suspected child abuse and neglect, or when a crime has been committed on the program premises or against program personnel, or in response to a court order.

**Relating to decedents:** We may disclose PHI relating to an individual's death if state or federal law requires the information for collection of vital statistics or inquiry into cause of death.

**To avert threat to health or safety:** In order to avoid a serious threat to health or safety, we may disclose PHI to law enforcement when a threat is made to commit a crime on the program premises or against program personnel.

**Uses and Disclosures Requiring You to have an Opportunity to Object |** In the following situations, we may disclose a limited amount of your PHI if we inform you about the disclosure in advance and you do not object, as long as the disclosure is not otherwise prohibited by law.

**To families, friends, or others involved in your care:** We may share with these people information directly related to their involvement in your care, or payment for your care. We may also share PHI with these people to notify them about your location, general condition, or death.

**Your Rights Regarding Your Protected Health Information |** You have the following rights relating to your protected health information:

**To request restrictions on uses/disclosures:** You have the right to ask that we limit how we use or disclose your PHI. We will consider your request, but are not legally bound to agree to the restriction. To the extent that we do agree to any restrictions on our uses/disclosure of your PHI, we will put the agreement in writing and abide by it except in emergency situations. We cannot agree to limit uses/disclosures that are required by law.

**To choose how we contact you:** You have the right to receive confidential communication from us regarding your PHI. You have the right to ask that we send you information at an alternative address, or by an alternative means. We must agree to your request as long as it is reasonably easy for us to do so.

**To inspect and request a copy of your PHI:** Unless your access to your records is restricted for clear and documented treatment reasons, you have a right to see your protected health information upon your written request. We will respond to your request within 30 days. If we deny your access, we will give you written reasons for the denial and explain any right to have the denial reviewed. If you want copies of your PHI, a charge for copying may be imposed, depending on your circumstances. You have a right to choose what portions of your information you want copied and to have prior information on the cost of copying.

**To request amendment of your PHI:** If you believe that there is a mistake of missing information in our record of your PHI, you may request, in writing, that we correct or add to the record. We will respond within 60 days of receiving your request. We may deny the request if we determine that the PHI is: (1) correct and complete; (2) not created by us and/or not part of our records, or; (3) not permitted to be disclosed. Any denial will state the reasons for denial and explain your rights to have the request and denial, along with any statement in response that you provide, appended to your PHI. If we approve the request for amendment, we will change the PHI and so inform you, and tell others that need to know about the change in the PHI.

**To find out what disclosures have been made:** You have a right to get a list of when, to whom, for what purpose, and what content of your PHI has been released other than instances of disclosure: for treatment, payment, and operations; to you, your family, or the facility director; or pursuant to your written authorization. The list also will not include any disclosures made for national security purposes, to law enforcement officials or correctional facilities, or disclosures made before April 2003. We will respond to your written request for such a list within 60 days of receiving it. Your request can relate to disclosures going as far back as six years. There will be no charge for up to one such list each year. There may be a charge for more frequent requests.

**You Have the Right to Receive this Notice |** You have a right to receive a paper copy of this Notice and/or an electronic copy by email upon request.

**Our Right to Change Conditions Outlined in This Notice |** We reserve the right to make changes to this Notice as necessary, and to make the new Notice provisions effective for all PHI that we maintain. The most current version of this Notice will always be made available at our website: [eastersealsmidwest.org](http://eastersealsmidwest.org).

**How to File a Complaint About Our Privacy Practices |** If you think we may have violated your privacy rights, or you disagree with a decision we made about access to your PHI, you may file a complaint with the agency Privacy Officer:

Easterseals Midwest/Privacy Officer  
11933 Westline Industrial Drive  
St. Louis, MO 63146  
314-394-7050

You also may file a complaint with:

Secretary of the U.S. Department of Health and Human Services  
200 Independence Avenue SW  
Washington D.C., 20201  
(877) 696-6775

We will take no retaliatory action against you if you make such complaints.

**Effective Date:** This Notice is effective 9.1.2020

