



Easterseals South Carolina Your Right to Privacy

The Health Insurance Portability and Accountability Act, better known as “HIPAA” was passed into law in 1996. The law reflects and addresses the growing concerns that Americans have about their medical privacy. HIPAA also addresses the concerns of workers who change jobs and the maintenance of the health insurance benefits. Every employee of Easterseals South Carolina (ESSC) has received special training on how to maintain the privacy of the people we serve. The following document outlines the consumers’ rights to privacy.

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT CONSUMERS MAY BE USED AND DISCLOSED AND HOW CONSUMERS MAY ACCESS THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

Easterseals South Carolina is committed to protecting consumers’ medical information. ESSC is required by law to maintain the privacy of consumers’ medical information, provide this notice to consumers, and abide by the terms of this notice. If there are changes to these practices, ESSC will mail a new notice to consumers within sixty (60) days.

CONFIDENTIALITY PRACTICES AND USES

Easterseals South Carolina may access, use and or share medical information:

- Treatment – to appropriately determine approvals or denials of consumers’ medical treatment. For example, ESSC health care professionals who may review a consumer’s treatment plan by their health care provider for medical necessity.
- Payment – to determine consumer eligibility in the Medicaid program and make payment to a consumer’s health care provider. For example, a consumer’s health care provider may send claims for payment to the Medicaid fiscal agent for medical services provided to the consumer, if appropriate.
- Health Care Operations – to evaluate the performance of a health plan or a health care provider. For example, ESSC contracts with consultants who review the records of ESSC to determine the quality of care a consumer received.

- Informational Purposes – to give a consumer helpful information such as health plan choices, program benefit updates, free medical exams and consumer protection information.

DISCLOSURES NOT REQUIRING CONSUMER PERMISSION

Easterseals South Carolina can make the following disclosures only if it is directly related to running of the medical assistance programs, a court orders ESSC to disclose the information, or another law requires ESSC to disclose the information.

- Other Government Agencies and/or Organizations Providing Benefits, Services or Disaster Relief – to disclose information with other government agencies and/or organizations for consumers to receive those benefits and/or services offered.
- Public Health – to disclose medical information to agencies for public health activities for disease control and prevention, problems with medical products or medications, and victims of abuse, neglect or domestic violence.
- Health Oversight Activities – to disclose information to approved government agencies responsible for the Medicaid program, the U.S. Dept of Health and Human Services, and the Office of Civil Rights.
- Judicial and Administrative Hearings – to disclose specific medical information in court and administrative proceedings.
- Law Enforcement purposes – to disclose specific medical information for law enforcement purposes.
- Coroners, Medical Examiners, and Funeral Directors – to disclose specific medical information to authorized persons who need it to administer their work.
- Organ Donation and Disease Registries – to disclose specific medical information to authorized organizations involved with organ donation and transplantation, communicable diseases.
- Research Purposes – to disclose specific medical information to authorized personnel to work on research projects.
- To Avert Serious Threat to Health, Safety or Emergency Situation – to disclose specific medical information to prevent a serious threat to the health and safety of an individual of the public.
- Specialized Government Functions – to disclose medical information for national security, intelligence and/or protective services for the President, ESSC may also disclose health information to the appropriate military authorities if a consumer is or has been a member of the U.S. armed forces.
- Correctional Institutions – to disclose medical information to correctional facility or law enforcement officials to maintain the health, safety and security of the correction systems.
- Workers' Compensation – to disclose medical information to workers' compensation programs that provide benefits for work-related injuries or illness without regard to fault.

CONSUMERS' RIGHT TO PRIVACY

Consumer's medical information will not be shared and/or disclosed without their permission except as described in this notice or required by law. Consumers may retract (in writing) this authorization at any time. ESSC has procedures to assist consumers with their rights to their medical information. Consumers may ask ESSC staff for a copy of this notice at any time. In addition, a copy of this notice is posted at the ESSC website at <https://www.easterseals.com/southcarolina>

Any requests consumers may have of ESSC must be submitted in writing. Consumers have the right to ask ESSC to:

- Limit the use and/or disclosure of their medical information. However, ESSC is not required by law to agree to the request.
- Contact consumers by email or fax, at a specific mailing address or phone number.
- Look at or have a copy of any part of the designated record set maintained by ESSC. Consumers may be charged a process and postage fee for this request.
- Change or add information to a consumers' designated record set. However, ESSC may not change its original document.
- Provide a list of disclosures of a consumer's medical information made after April 14, 2003. This will not include disclosures for proposes of treatment, payment, health care operations; or disclosures made to consumers or with a consumer's permission.

Requests should be made in writing to:

Karen Larson
Easterseals South Carolina
PO Box 5715
Columbia, SC 29250