

CANTALICIAN CENTER FOR LEARNING (“Cantalician”)

NOTICE OF PRIVACY PRACTICES

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

Our Duty to Safeguard Your Protected Health Information (PHI)

Under federal law (*Health Insurance Portability and Accountability Act of 1996* or “HIPAA”), Cantalician is required to extend certain protections to your individually identifiable health information, and to give you this Privacy Notice to explain how, when and why Cantalician may use or share this protected health information (PHI). PHI is information, including demographic data, held or transmitted by Cantalician that relates to your past, present, or future health or condition; the provision of health care to you; or payment for health care; AND that identifies you or for which there is reasonable basis to believe can be used to identify you. Excluded from the HIPAA Privacy Rule are employment records Cantalician maintains in its capacity as employer, and education and certain other records subject to, or defined in, the *Family Educational Rights and Privacy Act (FERPA)*. Except in special cases Cantalician must use or disclose only the minimum PHI necessary to accomplish the purpose of the use or sharing.

Your Rights Regarding Your Protected Health Information

You have the following rights relating to your protected health information.

Right to inspect and copy. You have the right to inspect and copy your PHI. To do so, submit a request in writing. Cantalician may charge a reasonable fee for the cost of copying and/or mailing. In some circumstances, Cantalician may deny your request to inspect and copy your PHI. Generally, if you are denied access to health information, you may request a review of the denial.

Right to amend PHI that you believe is incorrect or incomplete. To request an amendment, send a request in writing. Cantalician may deny the request if you ask to amend health information that was: accurate and complete; not created by Cantalician; not part of the health information kept by/for Cantalician; not information that you are permitted to inspect and copy. If the request is denied, Cantalician will provide a reason; you have a right to submit a statement of disagreement for inclusion in the record.

Right to request restrictions. You have the right to request a restriction on the PHI Cantalician uses or discloses about you for treatment, payment, or health care operations. You also have the right to request a limit on the health information Cantalician discloses about you to someone who is involved in your care or the payment for your care (e.g. family member or friend). To request restrictions, submit a written request indicating: what information you want to limit; whether you want to limit Cantalician use, disclosure, or both; and to whom the limit(s) apply. Cantalician, however, is not required to agree to your request and cannot agree to limit uses or disclosures that are required by law.

Right to request confidential communications. You have the right to ask us to communicate with you by an alternative method or manner in order to ensure confidentiality, e.g. you may ask that your health information be sent to a location other than your home address if doing so may cause harm. To request confidential communications, make your request in writing, and specify how or where you wish to be contacted. Cantalician will make every attempt to accommodate all reasonable requests.

Right to ask for a list of disclosures. You have the right to request an “accounting of disclosures.” This is a list of disclosures that Cantalician has made of your health information, with some exceptions, e.g. those made for treatment, payment, operations; disclosures made to you or to others with your permission or any disclosures made for national security or intelligence purposes, to law enforcement officials or correctional institutions. To request an accounting of disclosures, submit your request in writing and state a time period (not longer than six years prior to the date the accounting is requested and not before April 14, 2003). Your request should indicate in what form you want the list (e.g. paper or electronic). The first list you request within a 12-month period will be provided free of charge; there may be a charge for additional lists. Cantalician will notify you of any cost involved.

You have the right to receive a paper copy of this notice.

Uses and Disclosures of Personal Health Information (PHI)

Cantalician uses and discloses your PHI in a number of ways connected with your services, payment for services, and our health care operations. Under the law, Cantalician may perform these functions without your specific permission. In performing these functions, Cantalician only use or disclose the minimum amount of information necessary. Following are descriptions and examples of how Cantalician may use or disclose your health information. Not every use or disclosure is described, but all of the ways Cantalician will use or disclose information will fall within these categories.

Treatment or Services Cantalician will use your health information to provide you with treatment and services. Cantalician may disclose PHI to nurses, psychologists, social workers, aides, and other Cantalician personnel, volunteers and interns who are involved in providing care. For example, involved staff may discuss your clinical information to develop and carry out an individualized service plan. Cantalician staff may share your PHI to coordinate services you need, such as respite or transportation, and may disclose your PHI to your service coordinator and other providers who are responsible for providing you with services or to obtain services for you.

Payment Cantalician will use your PHI so that Cantalician can bill and collect payment from you, a third party, an insurance company, Medicare or Medicaid or other government agencies. For example, the information on or accompanying a bill may include information that identifies you, as well as your diagnosis, procedures, and supplies used.

Regular Health Operation Cantalician will use your health information for administrative operations necessary to operate programs and services and to ensure that all individuals receive appropriate, quality care. For example, Cantalician may use health information to conduct compliance reviews, audits, and/or for fraud and abuse detection. Cantalician may also disclose your PHI to our business associates who need access to the information to perform administrative or professional services on our behalf.

Other Uses and Disclosures

In addition to treatment, payment and administrative operations, the law provides that Cantalician may use and disclose your PHI without authorization for legal and governmental purposes in the following circumstances:

- When required by federal or state law.
- For public health efforts, including prevention and control of disease, injury or disability, reporting child abuse or neglect, and to notify people who may have been exposed to disease or are at risk of spreading disease.
- To report domestic violence and adult abuse or neglect to government authorities
- For health oversight activities, such as audits, investigations, surveys and other inspections, and licensure.
- For law enforcement purposes, in response to a court order or subpoena, to report a possible crime, to identify a suspect or witness or missing person, to provide identifying data in connection with a criminal investigation, and to the district attorney in furtherance of a criminal investigation.
- To prevent or lessen a serious and imminent threat to your health or safety or that of someone else.
- For specific government functions, such as military and veterans activities, national security and intelligence activities.
- For workers' compensation purposes.
- To a friend or family member involved in or who helps pay for your care.

De-Identified Information There are no restrictions on the use or disclosure of de-identified health information, i.e., information that neither identifies nor provides a reasonable basis to identify an individual.

Authorization Required for All Other Uses and Disclosures

For all other types of uses and disclosures, Cantalician will use or disclose PHI only with a signed written authorization. If you cannot give permission due to an emergency, Cantalician may release PHI in your best interest and will notify you as soon as possible after releasing the information. Authorizations can be revoked at any time to stop future uses or disclosures except to the extent that Cantalician has already undertaken an action in reliance upon your authorization.

Changes to this Notice

Cantalician reserves the right to change this Notice at any time and to make the revised or changed Notice effective for health information Cantalician already has about you, as well as any information Cantalician receives in the future.

For More Information or to Report a Problem

If you have questions or would like additional information about our privacy practices, you may contact the Cantalician Privacy Officer at the address listed below. If you believe your privacy rights have been violated, or you disagree with a decision Cantalician made about access to your PHI, you may file a complaint with Cantalician or with the Secretary of the U.S. Department of Health and Human Services. There will be no penalty or retaliation for filing a complaint.

Contact Information: **Cantalician Center for Learning, 2049 George Urban Blvd., Depew, New York 14043 716/901-8700**
ATTN: Privacy Officer (Quality Assurance/Corporate Compliance Director)

Revised July, 2014

This Notice is effective September 2013.