

**New Perceptions, Inc.**

***Notice of Privacy Practices***

*(Revised 06/22/04)*

**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.**

New Perceptions, Inc. has written this booklet to explain to you some very important information about the Protected Health Information of our clients and what we do with that information. You may have heard this new law referred to as “HIPAA”, which stands for Health Insurance Portability and Accountability Act.

## **IMPORTANT:**

For the rest of this booklet we will use short forms of some words. Those words are:

“You” means the client. If you are the parent or guardian of a client, please remember we are talking about your child’s health information.

“NPI” or “we” means New Perceptions, Inc. It means not only New Perceptions, but the relevant programs and services that we operate.

“PHI” stands for Protected Health Information. Protected Health Information means information about a person’s health that can be related to that person. For instance, “I know a boy with a broken leg.” is not PHI because the person you’re talking to cannot recognize a particular person. On the other hand, “Sue Smith is seeing Dr. Jones for her broken leg.” **is** PHI.

## ***Understanding Your Health Record***

Each time you come to New Perceptions, Inc., or a professional from NPI comes to work with you in your home, a record of your visit is made. This record may contain your symptoms, exam, diagnosis, Treatment, and a plan for future care or Treatment. This information, which we call your health or medical record, serves as:

- A basis for planning your care, therapy, and development.
- A way that the many health professionals on the team who work with you can share information on what each is doing.
- A way that you or a third party can make sure that services were actually provided.
- A tool for teaching health professionals.
- A legal document describing the care you received.
- A source of data for medical research.
- A source of information for public health workers for the purpose of controlling disease, injury, or disability.
- A tool we can use to improve the care we give and the results we achieve.

Understanding what is in your record and how your health information is used helps you to:

- Make sure it is correct.
- Better understand who, what, when, where, and why others may see your health information.
- Make better decisions about allowing others to see your health record.

### ***Your PHI Rights***

Your PHI is kept in your service file (sometimes called your medical record). It includes information about your condition, what Treatments you have received, and how you are reacting to those Treatments. This record is kept partly on paper and partly in computers. The record itself belongs to NPI, but in most cases, you have rights to your PHI and can control how we use and disclose your PHI. You have these rights:

- You can ask us for a restriction on the uses and disclosures of the PHI for payment, treatment, and operations purposes. That means you can ask us not to send it to certain persons or not to send certain parts of the information, even if law would permit us to do so. We can ask you to put your request in writing and we may have you use a special form for such requests. We have to tell you whether we agree to your request, but we do not have to agree.
- You can look at your service file and ask to have a copy of it. We may be allowed to charge you for the cost of making the copy (but only if Kentucky law permits us to charge).
- You can ask to have corrections made to your service file if you think it is wrong but we do not have to agree to make the correction. If we say no to the correction, you have some additional rights that we will explain, if you ask us.
- You can have a list of who we gave your health information to (after April 2003). This list will not include the people we gave it to for your Treatment, for Payment, or for Operations purposes (as defined below) or the people that got your information when you gave us a signed Authorization.
- You may ask us to send your PHI to you at another place or by another means.
- If you have given us permission to send your PHI to someone else, you can take back that permission, and we will not send out your PHI after that point; but we will not get back any information we already sent.

- If you want help in understanding any of these rights, you may ask to talk to New Perceptions Privacy Manager. Just call NPI at (859) 344-9322 and the receptionist will page the Privacy Manager.

The Privacy Manager will provide you with any forms that you may need to request any of the Rights listed above.

## ***Our Responsibilities***

New Perceptions, Inc. will do these things:

- Give you this Notice of Privacy Practices on your first date of service after April 14, 2003, and after that date, give you a copy of our Notice anytime you request it.
- Keep your health information private and not use or share it except as explained below.
- Follow the rules that we have set out in this Notice.
- Let you know if we do not agree to something you ask us to do or not do with your PHI.
- Send your PHI to another place or by another means if it is reasonable for us to do that.

If we do make changes to the way we handle PHI, we will prepare a new Notice of Privacy Practices. The new Notice will be posted on New Perceptions bulletin board. Also, if you ask us for it, we will give you a copy of the changed Notice.

## ***Using and Sharing Your PHI***

In many cases, we cannot share your PHI with other people unless you give us written permission to do that. If you want somebody else to see your PHI, you must complete an Authorization form before we give that person the information. However, we are allowed to use your PHI and share it with others without your written Authorization or verbal consent for certain reasons. Those reasons are explained below.

***Treatment:*** In order to give you the best Treatment, we will use your PHI for treating you. We will also share it with other providers who are treating you. Each person involved in your Treatment, such as physical therapists and others, will write in your service file to explain what they are doing for your care. This way, each person taking care of you will know what the others are doing and whether those actions are helping you. If you ask us, we will also give copies of your PHI to your family doctor or other providers who care for you.

**Payment:** As you probably know, NPI does not bill you directly for services. However, clients sometimes need services at another facility that does bill. If we send you for those special services, we may give that other facility information about your Treatment at NPI and your insurance information to help them with their billing.

**Operations:** We may use your PHI for Healthcare Operations. "Healthcare Operations" means all of the things New Perceptions does to improve the quality of care for all clients. For example, someone may look at the records for all the children who had the same Treatment. They could then compare that information to see the differences. Another part of Operations is making sure our employees do their jobs correctly. Managers may need to look at PHI to make sure that your Treatment was correct. Training is part of an operation. *Many colleges and other schools send students to NPI as part of their training. These students and their teachers may be able to see your PHI as they learn how to take care of clients.*

**Business Associates:** Business associates are people or companies who provide some of the services needed for your care. For instance, a computer specialist may help us write a new program or set up new file reports. When they perform the services we request, the Business Associates need to see some of your PHI. However, we require them to keep your information private.

**Communication with Family:** We will tell appropriate family members or friends who are not legal guardians (for adults) or parents (for children) only the amount information that would help them to take part in your care. If you want, we may also share this information with other friends or family members.

**Subpoena:** We may have to share your PHI with a court or attorney if we get a subpoena from them. We will try to let you or your attorney know about the subpoena before we send the information, and we will follow procedures set forth in HIPAA before responding to a subpoena.

**Research:** We may share your PHI with researchers when an Institutional Review Board (IRB) has approved their research and your condition or Treatment is one they want to study. The IRB must first review the plans for the research study and set forth guidelines to make sure the PHI used in the study remains private. The IRB will also review the consent form for the study to make sure it is correct. Researchers in the future may also look at your medical record to see if your condition or Treatment is one that they plan to study. If it is, they may ask for your permission to include your information in their study.

**Marketing & Fundraising:** We may use some of your PHI, including your name and address, to send you information about other services that might help you. We may also ask your permission to let us use your story to tell others about NPI. We will not sell your name to a mailing list.

**Work and Safety Laws:** We may need to give PHI to state and federal health and safety agencies such as workers compensation commissions.

**Public Health:** We may have to share PHI with public agencies that work to prevent or control disease, injury, or disability. For example: If a child develops measles or mumps while in our care, we may be required to report that information to the state or local health department.

**Law enforcement:** We may disclose health information for law enforcement purposes as required by law or in response to a valid subpoena.

**Record-keeping agencies:** We send information about clients' injuries and Treatment to private or public agencies that keep track of statistics. For instance, we send information about accidents/injuries to North Key Community Care, Supported Living, and, depending on the seriousness of the injury, to the Division of Mental Retardation. We send information about handicapping conditions to United Way, and incidents of suspected neglect or abuse to the Cabinet of Families and Children.

**Whistleblowers:** If a person who works for us thinks we are breaking the privacy laws, they might tell an attorney or a government agency about their concern.

### ***For More Information or to Report a Problem***

If you have questions or would like to know more about these rules, please ask to speak to New Perceptions' Privacy Manager. If you believe we violated your privacy rights, you can file a complaint by calling the New Perceptions Privacy Manager or New Perceptions Executive Director at (859) 344-9322. NPI will try to find out what caused the problem, but no one will be upset or treat you differently if you complain.

To file a complaint with the Department of Health and Human Services, send your complaint to OCR, 200 Independence Avenue, SW, Humphrey Building, Mail Stop Room 506F, Washington, D.C. 20201.