

Your Right to Privacy Is Protected By Law

Federal and state laws protect right to confidentiality of health records of all Accend Services clients. These laws include the federal law known as HIPAA (i.e. the Health Insurance Portability and Accountability Act of 1996) and Minnesota Statutes Chapter 13, or the Minnesota Government Data Practices Act. These laws require that we take special care to make sure that our clients' records are kept confidential, or private. This means that we must:

- Keep our clients' records in a safe place
- Keep each client's records separate from those of other clients
- Keep unauthorized persons from seeing our clients' records either accidentally or on purpose without your consent
- Not send private information about our clients over the internet unless we can reasonably assure that the information will not be seen by unauthorized persons
- Limit the number of persons within our agency who see client records and keep the information they see to the minimum necessary to do their jobs
- Not release client records without the client's (or the client's legal guardian's or conservator's) consent

Persons to Whom We May Release Records Without Consent

Accend Services will not release client health records without a signed and dated consent from the client or the client's legal guardian or conservator. There are some exceptions. Some of those exceptions include the following:

- In a medical emergency, to treating professionals;
- When a federal or state law requires it;
- When we receive a court order or a federal grand jury subpoena requiring release of health information;
- General statistical data, not associated with a specific client or person.

Under Minnesota law, we may also be required to provide information to other persons or organizations for specific purposes and for coordination of your services. We will log of these releases in client records and make these logs available to clients upon request. Unless required by law, Accend Services will not release information to any other agency without a signed and dated consent from the client or his or her authorized legal representative. When we disclose information to these agencies and individuals, we will disclose only the minimum necessary required. Some examples of persons or agencies to whom we might disclose information include, but are not limited to, those listed below.

- Parents/legal guardians of a minor;
- Legal representatives who have health care and financial decision-making authority for an adult client;
- The client's case manager, his or her supervisor, financial worker, and other authorized social services staff assigned to a client's case;
- County public health nurses, county or state screeners, or other officials responsible for authorizing services;
- Authorized persons such as licensers, investigators, or other officials at the Minnesota Department of Health or the Minnesota Department of Human Services;
- Ombudsman and county or state investigative agencies when we make a report of possible maltreatment (abuse or neglect) of a vulnerable adult or child;

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- Health Boards or health professional licensing boards or agencies while engaged in authorized investigative or licensing activities;
- Medical examiners or coroners;
- Law enforcement or investigative agencies when our clients present a threat of harm or are potential victims of serious threats of physical violence;
- Insurance companies and other payors for services provided by Accend Services when the
 - information is required to obtain payment.

Client's Right to See Records

Federal and state law also requires that clients may review any information in their health and program records kept by health care providers regarding any diagnosis, treatment and prognosis. If a client or authorized representative asks in writing, we will provide copies of records or copies of a summary of the information in the records. We may not provide this information if we have determined that it is detrimental to the client's physical or mental health, or is likely to cause the client to inflict self harm, or to harm another. If such a determination has been made, then the information shall be given an appropriate third party. State and federal laws also set a maximum charge for finding and copying records. In cases where clients make reasonable requests, we will provide a summary of the information in the client's record at no cost.

Reporting Data Privacy Violations

Any staff member, client or other affected party may report data privacy violations by contacting the Operations Director, Clinical Director or other officer/director of Accend Services as soon as possible after learning of the potential privacy violation.

Data Storage

Accend Services will maintain client records for a period of at least 7 years following termination of services.