

**JEWISH RESIDENTIAL SERVICES, INC. (JRS)-NOTICE OF PRIVACY PRACTICES FOR
PROTECTED HEALTH INFORMATION**

**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.**

I. Background

The Federal law “HIPAA” (Health Insurance Portability and Accountability Act of 1996) and its regulations, including the Privacy Rule, provide standards regarding how your health information can be used or requested. This Notice describes how JRS will operate in compliance with the HIPAA Standards. We will advise you if the terms of this Notice change in the future.

JRS seeks to respect your privacy, confidentiality and rights regarding your health information, while providing you with quality services. How we treat your Protected Health Information (see definition in Section II below) and how you can exercise certain rights to restrict its use generally depends upon the following categories of use set forth below and explained further in this Notice.

The categories of use are:

- A. For treatment, payment or healthcare operations;
- B. For uses required or permitted by law;
- C. Uses for which JRS needs to obtain your agreement or objection; and
- D. Uses for which JRS needs to obtain an authorization from you in advance.

For the most part, JRS will use and share with others your protected health information necessary to provide healthcare services to you. In certain limited situations, for instance where you might need emergency care, or where required by law, JRS may also need to release such information without obtaining your agreement or authorization. In other circumstances, JRS will need to obtain written authorization from you in advance of releasing any health information to others.

Also, JRS will comply with Pennsylvania laws regarding mental health services, drug and alcohol treatment and HIV-related information, which provide greater protection for your health information than HIPAA in some circumstances.

JRS seeks to continue to serve you in the future and looks forward to working together with you in helping you meet your goals.

II. Uses and Disclosures for Treatment, Payment, and Health Care Operations

JRS may use or disclose your *protected health information (PHI)*, for *treatment, payment, and health care operations*. Here are some definitions and examples to help clarify our uses and disclosures:

- “*PHI*” means Protected Health Information and refers to health and other information in your record that could identify you.
- “*Treatment, Payment and Health Care Operations*”

-While treatment is usually thought of in terms of medical examinations, mental health

therapy, etc., for the purpose of HIPAA, the definition of “*Treatment*” is when JRS provides direct care and support services to you. An example of treatment would be when JRS Staff participates with you in a Team Meeting.

-*Payment* is when JRS obtains reimbursement for the services we provide to you. An example of payment is when JRS discloses your PHI to agencies like Allegheny County or Community Care Behavioral Health, to obtain reimbursement for our service to you.

-*Health Care Operations* are activities that relate to the performance and operation of JRS. Examples of health care operations are quality assessment and improvement activities, business-related matters such as audits and administrative services, and licensing or certification functions.

- “*Use*” applies to activities only within JRS, such as sharing and utilizing information that identifies you. An example of this internal use is when Staisey House Staff share information with Howard Levin Clubhouse Staff, when a resident is interested in Clubhouse membership.
- “*Disclosure*” applies to activities outside of JRS, such as JRS releasing, transferring, or providing access to information about you to other parties. These external individuals or entities could include other health care providers who are treating you or our “Business Associates”-others who perform tasks on behalf of JRS. Business Associates are required to follow HIPAA standards regarding your PHI. An example of this is when JRS shares your name with others for billing purposes.

III. Other Types of Uses and Disclosures Where Written Authorization or Opportunity to Agree/Object is Not Required

JRS may use or disclose PHI without your permission, an authorization or provision of the opportunity to agree or object in the following special circumstances, which are required or permitted by law:

- *Required by Law:* use or disclosure of PHI to the extent required by law and limited to the relevant requirements of such law.
- *Public Health, Health Oversight Activities and to Avert a Serious Threat to Health and Safety:* examples of such uses or disclosures include collection of such information for the purpose of preventing or controlling a disease; for oversight via audit; and to help law enforcement apprehend an individual, respectively.
- *Abuse/Neglect/Domestic Violence Victims:* If JRS has reasonable belief to suspect that you are the subject of abuse, neglect or domestic violence, we may report that to the local government or social service agencies which receive such reports under the law.
- *Judicial or Administrative Proceedings:* If you or JRS are involved in a court or administrative proceeding and a request is made about JRS services provided to you or the related records, your PHI may or may not be released, depending on various factors (was a court order involved, were you given notice of the information request, etc.).
- *Law Enforcement:* examples of such uses or disclosures include mandatory reporting laws regarding certain types of physical injuries, or response to a grand jury subpoena.
- *Decedents:* an example of such a disclosure would be release of PHI under the law to a funeral director or medical examiner.

- *Serious Threat to Harm Self:* If you express a serious threat, or intent to kill or seriously injure yourself and JRS Staff reasonably believe that you are likely to carry out the threat, then JRS must take reasonable measures to prevent such harm, which may include proceeding with an Involuntary Commitment Procedure.
- *Serious Threat to Health or Safety of Others:* If you express a serious threat, or intent to kill or seriously injure an identified or readily identifiable person or group of people, and JRS Staff reasonably believe that you are likely to carry out the threat, JRS must take reasonable measures to prevent harm. Reasonable measures may include directly advising the potential victim or others of the threat or intent.
- *Emergency:* There may be situations where your PHI must be released in response to an emergency, and there is not time or ability to obtain your consent. For instance, if you have an accident and are unconscious, JRS will need to release your PHI to paramedics or physicians for whom you have not provided us an authorization.
- *Workers' Compensation:* JRS may disclose your PHI as required by the laws relating to workers' compensation or other benefits for work-related injuries or illnesses.

IV. Uses and Disclosures Where You Have the Opportunity to Agree or Object

You have the opportunity to agree to, object to, or request a restriction on the use or disclosure of PHI in the circumstances listed below. Your agreement or objection may be obtained verbally or in writing; your request for a restriction must be put in writing (see Section VI).

- Disclosing relevant PHI to family members, close friends or others you identify, if those individuals are involved with your care or payment related to your care.
- PHI may also be utilized to notify individuals responsible for your care as to your location, general condition or death.

Note, in cases of an emergency or disaster, it may not be possible to obtain your agreement or objection.

V. Uses and Disclosures Requiring Authorizations

JRS must obtain your appropriate prior *authorization* for the use or disclosure of your PHI if we intend to use the information for any purposes, which are outside of treatment, payment, and health care operations; or outside of otherwise permitted or required uses/disclosures described in this Notice.

While Psychotherapy notes require an authorization for their use or disclosure, JRS does not utilize or create psychotherapy notes in its operations.

You may revoke all such authorizations at any time, provided each revocation is put in writing to your Program Director. Your revocation will be effective from the time it is submitted to JRS, onward.

VI. Your Rights

You may request any of the following rights by writing to your Program Director:

- *Right to Request Restrictions* – You have the right to request restrictions on certain uses and disclosures of PHI about you; these are:
 - for JRS to carry out treatment, payment or healthcare operations; or
 - disclosures to individuals involved in your healthcare, payment for the care, and/or needing notification of your location, general condition or death.

JRS will attempt to accommodate all reasonable requests, but is not required to do so.

Any restrictions agreed to by JRS would not prevent these permitted or required uses of PHI:

- if the Federal Secretary of Health & Human Services is investigating or determining JRS' compliance with HIPAA regulations;
- for required or permitted disclosures under the law listed in Section III; or
- disclosures needed for your receipt of needed emergency treatment.

- *Right to Receive Confidential Communications by Alternative Means and at Alternative Locations* – You have the right to request and receive confidential communications of PHI by alternative means or at alternative locations.
- *Right to Inspect and Copy* – You have the right to inspect and obtain a copy (or both) of PHI in your program record and billing records used to make decisions about you for as long as the PHI is maintained in the record. JRS is permitted to deny your access to some or all of your PHI under certain circumstances; but in some cases, you may have this decision reviewed. Upon your request, JRS will discuss with you the details of the request and denial process.
- *Right to Amend* – You have the right to request an amendment of your PHI for as long as the PHI is maintained in the record. In some cases, JRS may ask you the reason for your request to amend. JRS is permitted to deny your request. Upon your request, JRS will discuss with you the details of the amendment process.
- *Right to an Accounting* – You generally have the right to receive an accounting of disclosures of PHI for which you have neither been required to provide consent nor authorization (including some Section III circumstances). The accounting may cover up to a six year period from the date of your request and only applies to disclosures from April 14, 2003, onward.

The accounting would not include disclosures related to treatment, payment and healthcare operations, and required and permitted uses, among others. Upon your request for an accounting, JRS will discuss with you the details of this process.

- *Right to a Paper Copy* – You have the right to obtain a paper copy of this Notice from JRS upon request, even if you have agreed to receive the Notice electronically.

VII. JRS' Duties:

1. JRS is required by law to maintain the privacy of PHI and to provide you with a Notice of the agency's legal duties and privacy practices with respect to PHI.
2. JRS must abide by the terms of this Notice currently in effect.

3. JRS reserves the right to change the privacy policies and practices described in this Notice and make them effective regarding all PHI maintained by JRS, but JRS must notify you of such changes.
4. If JRS revises this Notice, you will be provided with a copy of the revised Notice by mail or it will be delivered to you in person.

VIII. Complaints

If you believe that JRS has violated your privacy rights, or you disagree with a decision JRS made about your access to your records, you may make such a complaint by contacting Debbie Friedman, JRS Executive Director/HIPAA Compliance Officer at Jewish Residential Services, Inc., 4905 Fifth Avenue, Suite #3, Pittsburgh, PA 15213-2953; or at 412-325-0039

You may also send a written complaint to the Secretary of the U.S. Department of Health and Human Services. Ms. Friedman can provide you with the appropriate address upon request.

IX. Effective Date, Restrictions and Changes to Privacy Policy

This notice is effective as of 2004.