NOTICE OF PRIVACY PRACTICES

Effective Date: 4/14/03
Revised Date: 11/7/11

Saint Francis Community Services®
Strengthening Families Since 1945

THIS NOTICE DESCRIBES HOW CLIENT CARE INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION.
PLEASE REVIEW IT CAREFULLY.

Understanding Your Client Care Information – How It Is Used And How It May Be Shared With Others: There are laws that require you be given this Notice about what Saint Francis Community Services, Incorporated (sometimes hereafter known as "SFCS") does with your care information. This Notice is about the information kept here while you are receiving treatment services.

What is your Client Care Record or Care Information?
When you receive services through SFCS, a record is made that tells about care services provided. This record will have information about your background, diagnosis, assessments, treatment/care given to you, and notes about what might need to be done at a later date. SFCS keeps this information and can use this information in many different ways. What we do with your information and how we can use and share this information is what the rest of this Notice describes.

If you have any questions about this notice, please contact:

Corporate Privacy Officer
Saint Francis Community Services, Incorporated
509 East Elm Street
Salina, Kansas 67401

Who Will Follow This Notice
This notice describes Saint Francis Community Services, Incorporated practices and that of:
- Any professional authorized to enter information into your client record.
- All departments of SFCS.
- Any volunteer allowed to help you while you are in the program.
- All employees, staff and other personnel.
- SFCS has several programs including residential, in home family services, foster care, experiential programs, and outpatient therapy. The Central Office is located in Salina, Kansas. All these entities, sites and locations follow the terms of this notice. In addition, these entities, sites and locations may share care information with each other for treatment, payment or program operation purposes described in this notice.

SAINT FRANCIS COMMUNITY SERVICES, INCORPORATED PLEDGE REGARDING CARE INFORMATION
SFCS understands that information about you and your care is personal. SFCS is committed to protecting information about you. A record of care and services you receive at SFCS is created. This record is needed to provide you with quality care and to comply with certain legal requirements. This notice applies to all of the records of your care generated by any SFCS program, whether made by staff or by consults whom may record in the record.

This notice will tell you about the ways in which SFCS may use and disclose care information about you. It will also describe your rights and certain obligations SFCS has regarding the use and disclosure of care information.

SFCS is required by law to:
- Keep your information private, only giving it out when allowed by law to do so;
- Explain the legal duty and rules about keeping your information private to you;
- Follow the rules given in this Notice;
- Let you know when SFCS cannot agree with a request or demand you may make to restrict the sharing of your information with others;

- Help you when you want your information sent in a different way than it usually is sent or to a different place than it usually is sent.

SFCS will not give out your information without your permission except in certain cases explained in this Notice. There are laws that say your information can be given to others without your permission. SFCS will follow these laws. Your care information can be given out electronically (over computer networks, for example) or by facsimile.

Your Rights Regarding Care Information About You

You and your involved family have the following rights regarding care information maintained about you at Saint Francis Community Services, Incorporated:

- **Right to inspect and copy:**
  You have the right to have knowledge regarding information that may be used to make decisions about your care.
  You have the right to access billing records.

  It is the policy of SFCS to **NOT** release **COPIES** of the record directly to the client/ legal guardian without the benefit of a professional, in person, clinical interpretation and explanation of the content, with relevance to circumstances where disclosure could have adverse effects for the client/family due to:
  1. Outdate, thus invalid, information;
  2. Limited utility of information without professional judgment and interpretation; or
  3. Nature of the psychosocial content of the information.

  During your care, a staff member will meet with you/legal guardian to review assessments and care. Following discharge, it is acceptable for an individual living at a distance, to release the information to another professional who is competent to discuss the content of the clinical implications. This policy is explained to you/legal guardian at time of admission, and you will be counseled as to the wisdom of having this documentation in your possession. In all cases, however, you/legal guardian may receive written progress reports and a copy of the discharge summary. **Under no circumstances may you/legal guardian receive copies of psychotherapy notes.**

  To inspect and copy information that may be used to make decisions about you, you must submit your requests in writing to the *Corporate Privacy Officer*. If you request a copy of the information, you may be charged. There is no charge for information forwarded on the behalf of a current/former client for the purpose of referral to other programs, agencies and services. Otherwise, the costs will be explained to you at the time of the request.

  Records are not open for inspection and cannot be removed from SFCS.

  SFCS may deny your request to inspect and copy in certain very limited circumstances. If you are denied access to treatment information, you may request that the denial be reviewed. This request and denial will be reviewed by the *Corporate Privacy Officer*. The outcome of the review will be complied with.

- **Right to amend:**
  If you/legal guardian feel that care information Saint Francis Community Services, Incorporated has about you is incorrect or incomplete, you may ask for this information to be amended. You have the right to request an amendment for as long as the information is kept by or for SFCS.

  To request an amendment, your request must be made in writing and submitted to the *Corporate Privacy Officer*. In addition, you must provide a reason that supports your request.

  This request may be denied if it is not in writing or does not include a reason to support the request. In addition, it may be denied if you ask to amend information that:
  - Was not created by SFCS, unless the person or entity that created the information is no longer available to make the amendment;
  - Is no part of the information generated by or for SFCS
  - Is no part of the information which you would be permitted to review and copy; or
  - Is accurate and complete.

- **Right to an accounting of disclosures:**
  You/legal guardian have the right to know any time care information is disclosed about you. Any time care information is sent somewhere, you/legal guardian will receive a copy of the cover letter indicating to whom the information is sent, the purpose of the sending, and what specific information is sent. This information is maintained in the closed chart for at least

six years. If, after you are discharged and you want an accounting of non-routine disclosures, you must request this list in writing to the *Corporate Privacy Officer*.
Your request must state a time period, which may not be longer than six years. Your request should indicate in what form you want the list (on paper, electronically). The first list you request within a 12-month period will be free. For additional lists, you may be charged for the costs of providing the listSFCS will notify you of the cost involved, and you may choose to withdraw or modify your request at that time before any costs are incurred.

- **Right to request restrictions:**
  You/legal guardian have the right to request a restriction or limitation on the care information used or disclosed about you for treatment, payment or health care operations. You also have the right to request a limit on the care information disclosed about you to someone who is involved in your care or the payment of your care, like a family member or friend.

  Saint Francis Community Services, Incorporated is not required to agree to your request. If it is agreed upon, the request will be complied with unless the information is needed to provide you emergency treatment.

  To request restrictions, you must make your request in writing to the *Corporate Privacy Officer*. In your request, you must state (1) what information you want to limit; (2) whether you want to limit use, disclosure or both; and (3) to whom you want the limits to apply, for example, disclosures to your parents.

- **Right to request confidential communications:**
  You/legal guardian have the right to request that communication about care matters occurs in a certain way or at a certain location. For example, you/legal guardian may ask that staff only contact them at home or by mail, not at work. You may ask that you be only spoken to privately, not in the main areas where other clients could possibly overhear.

  To request confidential communications, you must make your request in writing to the *Corporate Privacy Officer*. The reason will not be asked. Staff will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

- **Right to a paper copy of this notice:**
  You/legal guardian have the right to a paper copy of this notice. You may ask to receive a copy of this notice at any time. You can request a copy from SFCS or you can go to our website, www.st-francis.org, and obtain one there.

How Saint Francis Community Services, Incorporated May Use and Disclose Care Services Information About You

The following categories describe different ways that information about you is used and disclosed. For each category of uses or disclosures, there will be an explanation of what is meant and some examples. Not every use or disclosure in a category will be listed. However, all of the ways SFCS is permitted to use and disclose information will fall within one of the categories.

- **For Care Services:** Care information about you may be used to provide to coordinate with other professionals also involved in providing care to you. Some of the different ways could include:
  - Staff may have to disclose medical information about you to the consulting doctor performing a physical. For example, the doctor performing the physical may need to know if you have diabetes as this could impact any other medical needs that might be identified. A dietician would need to know you have diabetes so the appropriate meals can be arranged with your caretakers. The doctor may also need to know all the medications you are on in case he/she prescribes any other needed medications that may have a harmful effect on the current ones you are taking
  - **For clients living in foster care or living at home:**
    - Staff will share information about your behaviors, needs and progress in case planning and/or treatment planning. The different members in these planning times could include case managers, social workers, counselors, therapists, chaplain, psychiatrist, psychologist, other clinicians, and administrative staff. All of these people work together in assessment and treatment planning to best meet your needs during your time in care.
    - Sometimes it is essential to work with your teachers to provide the best education possible during your time in care. While teachers are not given all details about you, they will be provided with the necessary details to help you to achieve the optimum level possible. They will receive past education records and any current special education records. If there are behavior/treatment problems that carry over to school, this will be discussed between staff and school personnel in a manner that will allow for treatment interventions to support your timely success and discharge from this program.
    - Many clients are in placement/care under court order. All assessment, treatment planning, and progress is disclosed to the placing agency because they are involved in your care, are involved in planning where you will go when you leave, and will be involved in your care after you leave placement.

- Care information may be disclosed about you to people outside this program who may be involved in your care after you leave, such as family members or others used to provide services that are part of your care.

- **For those clients in placement at a residential treatment facility:**
  - The staff will share information about your behaviors, needs, and progress in treatment team. The different members in treatment team could include client service workers, social workers, primary counselors, therapists, chaplain, psychiatrist, psychologist, director of clinical and administrative staff. All of these people work together in assessment and treatment planning to best meet your needs during your time in placement.
  - While you are in placement, you attend an on-campus school. It is important that staff work with the teachers to provide the best education possible during your stay. While the teachers are not given all details about you, they will be provided with the necessary details to help you to achieve the optimum level possible. They will receive past education records and any current special education records. If there are behavior/treatment problems that carry over to school, this will be discussed between staff and school personnel in a manner that will allow for treatment interventions to support your timely success and discharge from this program.
  - Many clients are in placement under court order. All assessment, treatment planning, and progress is disclosed to the placing agency because they are involved in your care, are involved in planning, where you will go when you leave, and will be involved in your care after you leave placement.
  - Care information may be disclosed about you to people outside this program who may be involved in your care after you leave, such as family members or others used to provide services that are part of your care.

- **For program operations:**
  Information may be disclosed and used about you for program operations. These uses and disclosures are necessary to run this program and make sure that all of the clients and families receive quality care. For example, care information may be used about you to review the treatment and services this program provides and to evaluate the performance of the staff in caring for you. SFCS may also combine treatment information about many clients to decide what additional services the program should offer, what services are not needed, and whether certain treatments are effective. Information may also be disclosed to other professionals and student interns for review and learning purposes. SFCS may also combine information with other like programs to compare how SFCS is doing and see where improvements can be made in the care and services offered. In doing so, information may be removed that identifies you from this set of information so others may use it to study mental health treatment care and care delivery without learning who the specific clients are.

- **For payment:**
  Information may be used and disclosed about you so that the care and services you receive may be billed to and payment may be collected from an insurance company, placing agency or any other third party payer. For example, your diagnosis may be required before your health plan will pay or reimburse for services received in this program. Your assessments, treatment plan, and progress may also be required for justification of stay and reimbursement by your placing agency. Information about a recommended treatment/service you are going to receive may be disclosed for prior approval or to determine if the plan is covered under your placement agreement.

- **Appointment reminders:**
  Information may be used and disclosed to contact family or others involved in your care to remind them of appointments for care/services at this program or to remind them of home passes you may participate in.

- **Treatment alternatives:**
  Information may be used and disclosed to tell you about or recommend possible treatment options or alternatives that may be of interest or necessary for you.

- **Treatment-related benefits and services:**
  Information may be used and disclosed to tell you about treatment-related benefits or services that may be of interest to you.

- **Fundraising activities:**
  Information may be used about programs to raise money for Saint Francis Community Services, Incorporated and its operations. Information may be used about achievements and successes in the program. As described in the "Client Rights", information about you may not be disclosed either by photo, videotape, public gatherings, or written information without written consent by you/legal guardian. **Clients in state custody cannot give permission to be used for marketing/ fundraising activities.**

- **Knowledge by others of your placement:**
  Residential and Foster Homes:
  Information of your physical placement in this program may be disclosed to others in several ways:
  - Other client's family members, case managers, lawyers, etc. may see you and hear your name spoken by staff/foster parents or other client while visiting with their identified client.
  - Staff/Foster parents may acknowledge your presence if someone calls asking for you by name. If this person is not on the designated list to call, they may be informed of this fact. If an unidentified, unauthorized person calls asking if you are placed here, they will be informed that this information cannot be provided.
  - When posting information about your status, your group assignments, and account status, only first names will be used.

  Non-Residential:
  Information of your participation in this program may be disclosed to others in several ways:
  - By visual sight while waiting in the reception area waiting for an appointment.
  - Having your name called for an appointment.

- **Research:**
  Under certain circumstances, Saint Francis Community Services, Incorporated may use and disclose care information about you for research purposes. For example, a research project may involve comparing the success in treatment of all clients who receive one medication to those who received another for the same mental health problem. Another example might be comparing the success of clients with different discharge placements. Regardless of the project, all research is subject to a special approval process. This process evaluates a proposed research project and its use of care information, balancing the research needs with clients' needs for privacy of their care information. It is possible that general information about a specific treatment program may be used that in no way identifies any personal information about you. You/legal guardian will almost always be asked for special permission if the researcher will have any access to your name, address or other information that reveals who you are, or will be involved in your care. This will be documented and placed in your clinical chart of care.

- **As required by law:**
  Any information will be disclosed about you when required to do so by federal, state or local law.

- **To avert a serious threat to health or safety:**
  Care information may be used and disclosed about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat.

- **Public health risks:**
  Medical/Treatment information about you may be disclosed for public health activities. These generally include the following:
  - To prevent or control disease, injury or disability;
  - To report births or deaths;
  - To report child abuse or neglect;
  - To report reactions to medications or problems with products;
  - To notify people of recalls of products they may be using;
  - To notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition;
  - To notify the appropriate government authority if SFCS believes a client has been the victim of abuse, neglect or domestic violence. This will only be done if you agree, when required, or authorized by law.

- **Treatment oversight activities:**
  Information about you may be disclosed to a treatment oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the treatment care system, government programs, and compliance with civil rights laws.

- **Lawsuits and disputes:**
  If you or your family is involved in a lawsuit or a dispute, care information may be disclosed about you in response to a court or administrative order. Information may also be disclosed about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.

- **Law enforcement:**
  Information may be released if asked to do so by a law enforcement official:
  - In response to a court order, subpoena, warrant, summons or similar process;
  - To identify or locate a suspect, fugitive, material witness, or missing person;
  - About the victim of a crime if, under certain limited circumstances, it is not capable to obtain the person's agreement;
  - About a death that is believed may be the result of criminal conduct;
  - About criminal conduct in the program;
  - In emergency circumstances to report a crime; the location of the crime or victims; or the identity, description or location of the person who committed the crime; and
  - Any runaway from the program.

- **National security and intelligence activities:**
  Care information may be released about you to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.

- **Protective services for the president and others:**
  Care information may be disclosed about you to authorized federal officials so they may provide protection to the President, other authorized persons, foreign heads of state, or conduct special investigations.

- **Military and veterans:**
  If you are a member of the armed forces, care information may be released about you as required by military command authorities. Information may also be released about foreign military personnel to the appropriate foreign military authority.

- **Workers' compensation:**
  Care information about you may be released for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illnesses.

Other Uses Of Care Information

Other uses and disclosures of care information not covered by this notice or the laws that apply will be made only with your written permission. If you provide permission to use or disclose care information about you, you may revoke that permission, in writing, at any time. If you revoke your permission, Saint Francis Community Services, Incorporated will no longer use or disclose information about you for the reasons covered by your written authorization. You understand that SFCS is unable to take back any disclosures already made with your permission and that SFCS is required to retain records of the care that is provided to you.

Complaints

If you believe your privacy rights have been violated, you may file a complaint with Saint Francis Community Services, Incorporated or with the Secretary of the Department of Health and Human Services. To file a complaint with SFCS, contact the *Corporate Privacy Officer*. All complaints must be submitted in writing.

You will not be penalized for filing a complaint.

Changes To This Notice

Saint Francis Community Services, Incorporated reserves the right to change this notice. SFCS reserves the right to make the revised or changed notice effective for care information that is already in place about you or any information received in the future. A copy of this notice will be posted in the building and will contain on the first page, in the top right-hand corner, the effective date. In addition, each time you are admitted or registered at any SFCS program for care services as an inpatient or outpatient, that program will offer you a copy of the current notice in effect.