

Joint Notice of Privacy Practices Scotty's House

This notice describes how protected health information about you may be used and disclosed and how you can get access to this information. **Please review it carefully.**

THIS JOINT NOTICE OF PRIVACY PRACTICES (*Notice*) GIVES YOU INFORMATION REQUIRED BY LAW about the obligations and privacy practices of SCOTTY'S HOUSE, a local children's advocacy center.

Who Will Follow This Notice?

All members of the Scotty's House workforce, including employees, independent contractors, volunteers, and agents. Scotty's House understands that your health information is personal and is committed to protecting this information. This Notice applies to all the records of your health information created or maintained by Scotty's House. This Notice tells you about the ways Scotty's House may use and disclose your health information. It also describes your rights and our obligations regarding the use and disclosure of your health information.

Scotty's House Responsibilities

Scotty's House will:

- Maintain the privacy and security of your health and other personal information;
- Provide you with notice of our duties and privacy and security practices with respect to information Scotty's House collects and maintains about you;
- Abide by the terms of this Notice;
- Notify you if Scotty's House is unable to agree to any restriction you may request;
- Accommodate reasonable requests you may have to communicate health information by alternative means or at alternative locations; and
- Notify affected individuals following a breach of unsecured protected health information.

Methods in which Scotty's House may use and disclose your health information

The following categories describe different ways Scotty's House may use and disclose your health information. These examples serve only as guidance and do not include every possible use or disclosure.

Treatment. Scotty's House may use and disclose your health information to other healthcare providers or those involved in your treatment or program services.

Payment. Scotty's House may use and disclose your health information to pay claims for covered healthcare services or to provide eligibility information about you when you receive treatment.

Healthcare Operations. Scotty's House may use and disclose your health information for its own operations. These uses and disclosures are necessary to operate Scotty's House in an efficient manner and to ensure that all Scotty's House participants receive their benefits.

Health Services. Scotty's House may use your health information to contact you or give you information about treatment alternatives or other program- or health-related benefits and services that may be of interest to you. Scotty's House may disclose your health information to its business associates to assist Scotty's House in these activities.

Business Associates. Scotty's House may disclose information about you without your authorization to obtain legal, financial, or other administrative services as long as Scotty's House has a business associate agreement in place with the applicable third party.

As Required by Law. Scotty's House may disclose your health information when required to do so by federal or state laws or regulations, including disclosure to HHSC to audit Scotty's House.

Substance Abuse Records. If we have your substance use disorder health records, subject to 42 CFR part 2, we will give you clear and obvious notice in advance and a choice about whether to receive fundraising communications that use your Part 2 information.

Special Situations

Health Oversight Activities. Scotty's House may disclose your health information to a health oversight agency for activities authorized by law. Health oversight agencies include public and private agencies authorized by law to oversee healthcare providers, health plans, and the healthcare industry in general. These activities are necessary to monitor providers or plans, government programs, eligibility or compliance, and to enforce civil rights and criminal laws.

Lawsuits and Disputes. If you are involved in certain lawsuits or administrative disputes, Scotty's House may disclose your health information in response to certain subpoenas, a court order, or administrative order.

Law Enforcement. Scotty's House may disclose your health information if asked to do so by a law enforcement official: (i) in response to a court order or subpoena; or (ii) if there is a probability of imminent physical injury harm to you or another person or immediate mental or emotional injury to you.

Coroners, Medical Examiners, and Funeral Directors. Scotty's House may release your health information to a coroner or medical examiner for activities such as identifying a deceased person or determining cause of death.

Personal Representatives. Scotty's House may disclose your health information to personal representatives appointed by you or designated by applicable law. However, Scotty's House is not required to disclose your health information to your personal representative in certain instances of abuse, neglect, or where disclosure is not in your best interest.

All disclosures will be made in accordance with the requirements of Texas and federal laws and regulations.

Other Uses and Disclosures

Unless otherwise permitted or required by law, Scotty's House will not use or disclose your health information for any other purposes without your written authorization to do so. If you give Scotty's House such written authorization for a purpose not described in this Notice, then you may, in most cases, revoke such authorization in writing at any time. Your revocation will be effective for all your health information Scotty's House maintains, unless Scotty's House has already taken action in reliance on your prior authorization.

To the extent that we have your substance use disorder patient records, subject to 42 CFR part 2, we will not share that information for investigations or legal proceedings against you without (1) your written consent or (2) a court order and a subpoena.

Your Rights

When it comes to your health information, you have certain rights. This section explains your rights and some of our responsibilities to help you.

You have the right to:

Right to Inspect and Copy. You have the right to inspect and copy your health information maintained at Scotty's House. Usually, this includes medical, dental, and billing records, but does not include psychotherapy notes.

Scotty's House may provide a copy or a summary of your health information. To inspect and copy your health information, you must submit a completed request to release protected health information form signed with a copy of your driver's license to records@scottysHouse.org. Scotty's House has 30 days from receipt of your request to

make a determination with regard to releasing your records. Scotty's House may charge a reasonable, cost-based fee.

Scotty's House may deny your request to inspect and copy your health information in limited circumstances. You may be denied access to your health information if it was prepared in anticipation of civil, criminal, or legal proceedings. This denial may not be appealed.

Right to Amend. If you feel that your health information is incorrect or incomplete, you may ask Scotty's House to correct or amend the information. You have the right to request an amendment for as long as the information is kept by Scotty's House.

To request an amendment, your request must be made in writing and submitted to Shannon Hernandez, Scotty's House Privacy Officer and you must provide a reason to support your request.

Scotty's House may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, Scotty's House may deny your request if you ask us to amend any medical or dental information that:

- Scotty's House did not create, unless the person or entity that created the information is no longer available to make the amendment;
- Is not part of the medical or dental information maintained by Scotty's House;
- Is not part of the medical or dental information you could inspect and copy; or
- Is otherwise accurate and complete.

If your request is denied, we will notify you of the reason in writing within 60 days.

Right to an Accounting of Disclosures. You can ask for an account of disclosures of your health information, for up to six years prior to the date you ask, who we shared it with, and why. This list will include all the disclosures except for those about treatment, payment, or healthcare operations, and certain other disclosures.

To request such an accounting, you must submit your request in writing to Shannon Hernandez, Scotty's House Privacy Officer. Your request must state a time period, which may not be longer than six (6) years. Your request should indicate in what form you want the list (for example, on paper or electronically). The first list you request within a 12-month period will be provided to you by Scotty's House for free. For additional lists within the 12-month period, you may be charged for the cost of providing the list. Scotty's House 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 have the right to request a restriction or limitation on the health information Scotty's House uses or discloses about you for treatment, payment, or healthcare operations. You also have the right to request a limit on the health information Scotty's House uses or discloses about you to someone involved in your care or for payment of your care. ***However, Scotty's House is not required to agree to your request.*** Should Scotty's House agree to your request, Scotty's House will comply with your request, unless the information is needed to provide you emergency treatment or disclosure is needed for certain authorized purposes, including disclosures for law enforcement purposes, in connection with cases of abuse, neglect or domestic violence, or as otherwise required by law.

To request restrictions, you must make your request in writing to records@scottyshouse.org. In your request you may indicate: (1) what information you want to limit; (2) whether you want to limit Scotty's House's use or disclosure; and (3) to whom you want the limits to apply.

Right to Request Confidential Communications. You have the right to request that Scotty's House communicate with you about health or program matters in a certain way or at a certain location. For example, you can ask that Scotty's House contact you only at work or by mail.

To request that Scotty's House communicate in a certain manner, you must make your request in writing to Shannon Hernandez, Scotty's House Privacy Officer. You do not have to state a reason for your request. Scotty's House will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

Get a copy of this privacy notice. You can ask for a paper copy of this notice at any time, even if you have agreed to receive the notice electronically. We will provide you with a paper copy promptly.

Changes to this Notice.

THE EFFECTIVE DATE OF THIS NOTICE IS January 1, 2024. Scotty's House reserves the right to change its privacy and security practices and to make the new provisions effective for all health information it holds or maintains. Should our privacy and security practices change, we will post the amended Notice on the Scotty's House website. You may request a copy by contacting Shannon Hernandez, Scotty's House Privacy Officer at shernandez@scottyshouse.org.

Organized Health Care Arrangement

An Organized Health Care Arrangement ("OHCA") is a clinically integrated care setting, in which individuals receive healthcare from more than one healthcare provider. An OHCA can be formed between covered entities that present themselves to the public as part of a joint arrangement. An OHCA allows legally separate entities to use and disclose health information as necessary to carry out treatment, payment, and healthcare operations activities relating to the operation of the arrangement. Generally, "health information" means any information that is created or received by a healthcare provider, health plan, public health authority, employer, life insurer, school or university, or health care clearinghouse, and relates to the past, present, or future physical or mental health or condition of an individual, the provision of healthcare services to an individual, or payment related to the same. Children's Advocacy Centers of Texas Organized Health Care Arrangement, CACTX OHCA, is organized as an OHCA and this Notice applies to the participating members.

CACTX OHCA provides services relating to child abuse investigations and delivery of services, including, but not limited to, healthcare services, to children and families in partnership with local communities and governmental agencies investigating and prosecuting child abuse. CACTX OHCA receives and maintains your health information while providing these services to you, and CACTX OHCA may contract with business associates to help it provide services to you. Business associates may receive, use, and maintain your health information in the course of providing services for or on behalf of CACTX OHCA. Business associates must agree in writing to ensure the privacy and security of your health information.

The address for the Office of Civil Rights is:

Office for Civil Rights
U.S. Department of Health and Human Services
1301 Young Street, Suite 1169
Dallas, Texas 75202
(214) 767-4056; (214) 767-8940 (TDD); (214) 767-0432 (Fax)

Complaints

If you believe your privacy and security rights have been violated, you may file a complaint with Scotty's House's Privacy Officer or with the Office for Civil Rights, U.S. Department of Health and Human Services. All complaints should be submitted in writing. **You will NOT be penalized for filing a complaint.**

To file a complaint with Scotty's House, please submit your request in writing to the Privacy Officer:

Scotty's House Privacy Officer
Shannon Hernandez
2424 Kent Street, Bryan, TX 77802
records@scottyshouse.org

Your complaint must be filed within 180 days of when you knew or should have known that the alleged violation occurred.

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