

Marc Community Resources, Inc.

Notice of Privacy Practices

Your Information. Your Rights. Our Responsibilities.

This notice describes how behavioral health, medical, drug and alcohol related information about you may be used and disclosed and how you can get access to this information. **Please review it carefully.**

Marc Community Resources, Inc. (Marc) is required by law to maintain the privacy and confidentiality of information about you, your health and health care, and payment for the services we provide you. Information regarding your health care, including payment for your care, is protected by two federal laws: the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and the Confidentiality Law, 42 C.F.R. Part 2 (“Part 2”).¹ There are additional state law protections.

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.

Get an electronic or paper copy of your medical record

- You can ask to see or get a paper copy of your medical record and other health information we have about you. Ask us how to do this.
- Marc will provide a copy or a summary of your health information, usually within 30 working days of your request. Marc may charge a reasonable, cost-based fee.

Ask Marc to correct your medical record

- You can ask Marc to correct health information about you that you think is incorrect or incomplete. Ask Marc how to do this.
- Marc may say “no” to your request. You will be informed as to why in writing within 60 days.

Request confidential communications

- You can ask Marc to contact you in a specific way (for example, home or office phone) or to send mail to a different address.
- Marc will say “yes” to all reasonable requests.

Ask Marc to limit what is used or shared

- You can ask Marc not to use or share certain health information for treatment, payment, or our operations. Marc is not required to agree to your request, and may say “no” if it would affect your care.
- If you pay for a service or health care item out-of-pocket in full, you can ask Marc not to share that information for the purpose of payment or our operations with your health

¹ HIPAA can be found at 42 U.S.C. § 1320d *et seq.*, 45 C.F.R. Parts 160 & 164. HIPAA protects your health information whether or not you receive services for drug or alcohol services. Part 2 can be found at 42 U.S.C. § 290dd-2, 42 C.F.R. Part 2. Part 2 does not allow us to acknowledge to anyone outside our program that you receive services for drug or alcohol services except under certain circumstances.

insurer. Marc will say “yes” unless a law requires us to share that information. In the case of alcohol or drug treatment services, if you decide not to let us share information for billing purposes, Marc may deny services to you.

Get a list of those with whom Marc has shared information

- You can ask for a list (accounting) of the times Marc has shared your health information for six years prior to the date you ask, who we shared it with, and why.
- Marc will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures (such as any you have personally requested). We'll provide one accounting a year for free but will charge a reasonable, cost-based fee if you ask for another one within 12 months.

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. Marc will provide you with a paper copy promptly.

Choose someone to act for you

- If you have given someone Power of Attorney or if someone is your Legal Guardian, that person can exercise your rights and make choices about your health information.
- Marc will make sure the person has this authority and can act for you before we take any action.

File a complaint if you feel your rights are violated

- You can complain if you feel we have violated your rights by contacting our Privacy Officer who is Billy Ludwick at 480-969-3800 Ext 289 or billy.ludwick@marccr.com.
- You can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 1-877-696-6775, or visiting www.hhs.gov/ocr/privacy/hipaa/complaints/. A violation of the Confidentiality Law (Part 2) is a crime and any suspected violations should be reported to the United States Attorney for Arizona.
- Marc will not retaliate against you for filing a complaint.

Right to receive a notice from us if we think your personal health information has been improperly disclosed (often called a “breach”)

Marc will notify you in accordance with state and federal law if we discover a breach has occurred such that your protected health information has been compromised. If we decide this notice is necessary, it will happen after we do an investigation according to the state and federal laws.

Your Choices

For certain health information, you can tell Marc your choices about what we share. If you have a clear preference for how we share your information in the situations described below, talk to us. Tell us what you want us to do, and we will follow your instructions.

In these cases, you have both the right and choice to tell Marc to:

- Share information with your family, close friends, or others involved in your care

- Share information in a disaster relief situation

If you are not able to tell us your preference, for example if you are unconscious, Marc may go ahead and share your information if we believe it is in your best interest. Marc may also share your information when needed to lessen a serious and imminent threat to health or safety.

In these cases Marc never shares your information unless you give us written permission:

- Marketing purposes
- Sale of your information
- Most sharing of psychotherapy notes
- If you are applying for or receiving services for drug or alcohol abuse, we may not acknowledge to a person outside of our program that you attend our program or in any way that identifies you as attending our program

In the case of fundraising:

- Marc may contact you for fundraising efforts, but you can tell us not to contact you again.

Our Uses and Disclosures: How does Marc typically use or share your health information?

Marc is allowed or required to share your information in other ways – usually in ways that contribute to the public good, such as public health and research. We have to meet many conditions in the law before we can share your information for these purposes. For more information see: www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html.

To provide you services and treatment

Without your consent Marc may use your health information and share it with other professionals who are treating you unless we provide you with drug or alcohol services and then we need your consent to share information.

To operate our business

Sometimes Marc has agreements with other organizations that either help us with services or help us with running our business and our agreements allow us to share information. These agreements comply with federal law and require these organizations to treat information the same way we do.

To bill for our services

Without your consent, Marc may use your information to bill for our services that we have provided but only with your consent for drug and alcohol services.

Help with public health and safety issues

Marc can share health information about you for certain situations such as:

- Preventing disease
- Helping with product recalls
- Reporting adverse reactions to medications
- Reporting suspected abuse, neglect, or domestic violence
- Preventing or reducing a serious threat to anyone's health or safety

Do research; respond to audits, investigations or evaluations

Marc can use or share your information for health research, audits, investigations or evaluations of our programs.

Comply with the law

Marc will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we're complying with federal privacy law.

Respond to organ and tissue donation requests

Marc can share health information about you with organ procurement organizations.

Work with a medical examiner or funeral director

Marc can share health information with a coroner, medical examiner, or funeral director when an individual dies.

Address workers' compensation, law enforcement, and other government requests

Marc can use or share health information about you:

- For workers' compensation claims
- For law enforcement purposes or with a law enforcement official
- With health oversight agencies for activities authorized by law
- For special government functions such as military, national security, and presidential protective services
- These general rules change if your health information includes anything about alcohol or drug abuse treatment services, and we will tell you about these differences.

Respond to lawsuits and legal actions

Marc can share health information about you in response to a court or administrative order, or in response to a subpoena.

Working with a health information exchange

Marc also shares information with a Health Information Exchange ("HIE"). An HIE is a big database that allows us to coordinate and improve your care. We will talk with you about the HIE, and you can tell us if you don't want your information shared.

Our Responsibilities

- Marc is required by law to maintain the privacy and security of your protected health information.
- Marc will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.
- Marc must follow the duties and privacy practices described in this notice and give you a copy of it.

- Marc will not use or share your information other than as described here unless you tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you change your mind.

For more information see:

www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html.

Changes to the Terms of this Notice

Marc can change the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available upon request, in our office, and on our web site.