

FSU Speech & Hearing Clinic NOTICE OF HEALTH INFORMATION PRIVACY PRACTICES

This Notice describes how medical information may be used and disclosed and how the information is accessed. Please review it carefully.

Understanding Clinic Record/Information

At The Speech and Hearing Clinic, a record of each visit is made. Typically, this record contains presenting concerns, evaluation results, diagnoses, treatment information, and a plan for future care or treatment. This information, often referred to as a health or medical record, serves as:

- A basis for planning care and treatment;
- A means of communication among the many health professionals who contribute to the client's care;
- A legal document describing the care received;
- A means to verify that services billed were actually provided;
- A source of data for medical research;
- A source of information for public health officials charged with improving the health of individuals; and
- A tool with which we can assess and continually work to improve the care we render and the outcomes we achieve.

This Notice helps the client to have an understanding of what is in the record and how health information is used, which helps the client to:

- Ensure its accuracy
- Better understand who, what, when, where, and why others may access the client's health information; and
- Make decisions that are more informed when authorizing disclosure to others.

Health Information Rights

Although the health record is the physical property of the healthcare practitioner or facility that compiled it, the information belongs to the client. Federal Law provides the client the right to:

- Request a restriction on certain uses and disclosures of information. The Speech and Hearing Clinic is not required to agree to a restriction, except in limited circumstances, such as for information gathered for judicial proceedings;
- Receive a paper copy of this notice, upon request and at any time, even if the client earlier agreed to receive this notice electronically;
- Inspect and obtain a copy of the health records;
- Amend the health record if the client believes it is incorrect or incomplete. However, The Speech and Hearing Clinic is not required to amend the health information, and if a request is denied, the client will be provided with information about our denial and how the client can disagree with our denial;
- Obtain an accounting of disclosures of the health information. In some limited instances, the client has the right to ask for a list of the disclosures of health information we have made during the previous six years, but the request cannot include dates before August 10, 2004. This list must include the date of each disclosure, who received the disclosed health information, a brief description of the health information disclosed, and why the disclosure was made. The list will not include disclosures made for the purposes of treatment, payment, healthcare operations, national security, law enforcement/ corrections, and certain health oversight activities. We must comply with the client's request for a list within 60 days,

unless the client agrees to a 30-day extension. The first accounting in any 12-month period is provided without charge. We may charge for subsequent requests;

- Receive communications of protected health information from The Speech and Hearing Clinic by alternative means or at alternative locations. The Clinic must accommodate reasonable requests;
- Authorize use or disclosure of any protected health information by using the *Authorization To Use Or Disclosure Health Information* form; and
- Revoke authorization to use or disclose health information except to the extent that action has already been taken.

Our Responsibilities

The Speech and Hearing Clinic agrees to:

- Maintain the privacy of health information as required by law;
- Provide a Notice of our legal duties and privacy practice with respect to information we collect and maintain;
- Abide by the terms of this Notice;
- Provide notification if we are unable to agree to a requested restriction; and
- Accommodate reasonable requests the client may have to communicate health information by alternative means or at alternative locations.

We reserve the right to change our practices and to make the new provisions effective for all protected health information we maintain. Should our information practices change, we will post a new revision on The School of Communication Science & Disorders/ Speech and Hearing Clinic Website at (<http://speechandhearingclinic.fsu.edu>). We will not use or disclose health information without written authorization, except as described in this notice. 1

Uses and/or Disclosures for Treatment, Payment, and Health Care Operations without Written Authorization

The following areas describe the ways The Speech and Hearing Clinic may use or disclose health information. For each area, an example will be given. Not every use or disclosure in the respective areas will be listed; however, all the ways The Speech and Hearing Clinic is permitted to use and disclose information will fall within one of these areas.

We will use health information for treatment.

For example: Information obtained by the audiologist, speech-language pathologist, and student clinician will be recorded in the client's file and used to determine the course of treatment that should work best. The clinician will document in the record the treatment recommendations of the client's professional staff team. Members of the professional staff team (e.g., clinicians providing evaluations, treatment, hearing aid fittings, counseling, education) will then record their procedures and observations. The clinicians will then know how the client is responding to treatment plans.

We will also provide the client's physician or subsequent healthcare provider with copies of various reports that should be of assistance in treatment once services are no longer being provided at The Speech and Hearing Clinic.

We will use health information for payment.

For example: A bill may be sent to the client or a third-party payer. The information on or accompanying the bill may include information that identifies the recipient of services, as well as the diagnosis and procedures.

We will use health information for regular healthcare operations.

We may use and disclose medical information about the client for Clinic operations. These uses and disclosures are necessary to operate the Clinic and to make sure that all of our clients receive quality care. For example, we may use clinical information to review our treatment and services and to evaluate the performance of our staff in caring for the client. We also may combine information about many clients to decide what additional clinical services should be offered, what services are not needed, and whether new

treatments are effective. We may disclose information to the professionals, staff, and students for review and learning purposes. We may combine the information with information from other clinical programs to compare how we are doing and to see where we can make improvements in the care and services we offer. We will remove information that identifies the client from this set of clinical information so others may use it to study healthcare and healthcare delivery without learning the name of the specific client.

Other Uses and Disclosures of Health Information Made without Authorization

Business Associates: There are some services provided in our organization through contract with business associates. Examples include a billing clearinghouse, accreditation organizations, and vendors. When these services are contracted, we may disclose health information to our business associates so that they can perform the job we have asked them to do. To protect health information, however, we require the business associate appropriately to safeguard the client's health information.

To those involved with care or payment of care of the client: In the case of an emergency when the health and welfare of the client or that of another person is at imminent risk, we may release information about the client to a friend or family member who is involved in that person's care. In addition, if an individual is receiving services at the direction of an employer or other person who has commissioned services, information about progress and course of treatment may be disclosed. If this circumstance applies, the client should discuss the implications in regard to rights and limits of confidentiality with the primary clinician.

Research: We may disclose information to researchers when their research has been approved by an institutional review board that has reviewed the research proposal and established protocols to ensure the privacy of health information.

Workers' Compensation: We may disclose health information to the extent authorized by and to the extent necessary to comply with laws relating to workers' compensation or other similar programs established by law.

Marketing: We may contact the client or legal representative to provide appointment reminders or information about treatment alternatives or other health-related benefits and services that may be of interest to you.

Fund Raising: We may use certain information about the client or legal representatives to raise money for the Clinic to improve its operations. We may also disclose information to the university foundation for the same purpose. We would only disclose contact information, such as name, address, telephone number, and service dates. If you do not wish to be contacted for fundraising efforts, you must notify the Clinic Director in writing.

Food and Drug Administration (FDA): We may disclose to the FDA health information relative to adverse events with respect to product and product defects or post marketing surveillance information to enable product recalls, repairs, or replacement.

Observation: As the Clinic is a training site for students majoring in Communication Disorders, we may allow students to observe services provided to our clients.

Classroom Disclosures: As a teaching facility, we may disclose healthcare information in university classes. We will remove information that identifies the client from this set of information so students may use it to study healthcare delivery without knowing the specific client.

Public Health Risks: We may disclose clinical information about the client for public health activities. These activities generally include the following:

- To report child abuse or neglect; and
- To disclose health information to appropriate persons in order to prevent or lessen a serious and imminent threat to the health or safety of a particular person or the general public.

Required by Law: We may disclose health information for law enforcement purposes, as required by law, or in response to a valid subpoena. Federal law makes provision for health information to be released to an appropriate health oversight agency, public health authority, or attorney, provided that a workforce member or business associate believes in good faith that we have engaged in unlawful conduct or have otherwise violated professional or clinical standards and are potentially endangering one or more client, workers or the public.²

For More Information or to Report a Problem

If a client or legal representative believes her or his privacy rights have been violated, a complaint may be filed in writing with The Speech and Hearing Clinic Privacy Officer or with the Secretary of Health and Human Services. There will be no retaliation for filing a complaint.

If a client or legal representative would like to act upon any of the health information rights, as provided herein, has any questions, or would like additional information, please contact the Privacy Officer at 850-644-2238.

¹ Within the Privacy Notice sections of (1) Understanding Clinic Record/Information, (2)

Health Information Rights, and (3) Our Responsibilities, the term *client* is defined as the recipient of services and legal representatives of recipients.

² Within the Privacy Notice sections of (1) Uses and/or Disclosures for Treatment, Payment, and Health Care Operations Without Written Authorization and (2) Other Uses and Disclosures of Health Information Made Without Authorization the term *client* is defined as the recipient of services. The recipient of services may be a child (minor under eighteen years of age).