

Community Friendship, Inc.

Policy and Procedure

CONFIDENTIALITY AND PRIVACY PRACTICES

I. POLICY:

Community Friendship, Inc. (CFI) is committed to respecting confidentiality and the privacy of protected health information. Protected health information (PHI) is defined as information about individuals past, present, or future health, treatment or information about payment for health care services that identifies the individual personally.

II. PROCEDURE:

A. USE AND DISCLOSURE OF PROTECTED HEALTH INFORMATION

Confidential information is released only as required under Georgia and federal law. At Community Friendship, Inc. (CFI), all clinical records are considered confidential and no part of the record may be released to other agencies/programs without the written permission of the consumer/resident. Notations of date, to whom, what sent, for what purpose, and form in which to be released (written, oral, electronic, etc.) will be recorded on the signed Release of Information. The Director of Quality Assurance is the designee to release written information. When information is released, CFI will not release more information than necessary. Any PHI information on flash drives or disks must be password protected. When sending electronic documents as attachments via email and it contains consumer or employee information, those documents are considered privileged and confidential and must also be password protected. All such documents are the property of CFI and not intended for any other purpose other than CFI related business. Whenever CFI computers are donated or discarded, all PHI is removed from the hard drive prior to donation/disposal.

1. Information is shared for the purpose of treatment, payment and health care operations as outlined in Community Friendship, Inc.'s Notice of Privacy.

Sharing Information without Permission - Information may be shared without permission in situations outlined below:

- Emergencies - CFI may share information as needed to handle an immediate emergency.
- To obey the law – Examples are listed below:
  - The Court instructs CFI to release information.
  - The law states CFI must report information about exposure to certain contagious diseases or if there is suspected abuse and/or neglect.
  - The Government instructs CFI. CFI may provide necessary health information to governmental agencies for audits, investigations, inspections, and licensure. If the U.S. Department of Health and Human Services asks for information to determine if CFI is obeying federal laws related to health care, that information must be provided to them. CFI will also give information to government agencies that pay for services.
  - CFI must give health information to coroners, medical examiners, or funeral directors.
  - CFI must provide health information regarding military personnel and veterans to the government in some situations.
  - CFI must provide health information to government agencies regarding those agencies' responsibilities.
- Criminal Activity or Danger to Others - If a crime is committed on CFI property or against CFI staff, information may be shared with law enforcement so they can apprehend the perpetrator. CFI may also call the police or sheriff when it is believed someone is in immediate danger.

B. REQUESTS FOR RESTRICTIONS OF PROTECTED HEALTH INFORMATION

1. A consumer may request that Personal Health Information kept by Community Friendship, Inc. (CFI) be restricted. Requests to restrict information must be submitted by the consumer in writing and must state the specific restrictions requested and to whom the restriction is to apply. A consumer may request that CFI not use or disclose any or part of protected health information for purposes of treatment, payment or healthcare operation. A consumer may also request that protected health information not be disclosed to family members or friends who may be involved in their care for notification purposes described in the Notice of Privacy Practices.
2. CFI may deny a request for a restriction. CFI's Director of Quality Assurance and other staff members as appropriate will review requests. Within sixty (60) calendar days after the request is received, the consumer will be given a written notice regarding the requested restriction.

C. REQUESTS TO INSPECT AND/OR COPY PROTECTED HEALTH INFORMATION

1. CFI may be legally prohibited from making certain information available including:
  - Documentation (i.e. Individual Recovery Plans, Progress Notes)
  - Information related to legal proceedings
  - Information that federal or state laws prevent CFI from disclosing
  - Information related to medical research in which a consumer agreed to participate
  - Information whose disclosure may result in harm or injury to the consumer or to another person
  - Information that was obtained under a promise of confidentiality
2. Requests will be reviewed by the Director of Quality Assurance, who will determine if the information requested can be made available. Within thirty (30) days of the request, CFI will either arrange for the consumer to inspect their record or provide them with a written explanation of any restriction on the information that can be provided. If a request is approved, a reasonable fee of \$.25 per page will be charged for copying and mailing documents.
3. If a request is denied, in whole or in part, a consumer may request that CFI review the decision.

D. RELEASE OF PERSONAL HEALTH INFORMATION

1. A consumer may agree in writing to the release of any portion of their personal health information to others for specified purposes. Notations of date, to whom, what sent, for what purpose, and form in which to be released (written, oral, etc.) will be recorded on the signed Release of Information. The Director of Quality Assurance is the designee to release written information. When information is released, CFI will not release more information than necessary.
2. Once permission to use or disclose confidential information is given, that permission may be withdrawn or cancelled, in writing, at any time. If permission is withdrawn, CFI may no longer use or disclose confidential information about the consumer for the reasons stated in the written authorization.

E. REQUEST AN AMENDMENT TO PERSONAL HEALTH INFORMATION

1. If a consumer believes there is a mistake in their personal health information or that information is missing, they have the right to request that CFI correct or add to the record.
2. Requests to amend personal health information must be in writing and submitted to CFI's Director of Quality Assurance.
3. The request will be responded to within 60 days of receiving the request. CFI may deny the request if it is determined the record is: 1) correct and complete; 2) not created by CFI, 3) a record the consumer is not allowed to look at or have copies of, or 4) not part of our records.

F. REQUEST FOR ACCOUNTING OF CERTAIN DISCLOSURES

1. Consumers have the right to get a list of instances when CFI has disclosed personal health information. This list **will not include** uses or disclosures that:
  - o The consumer already agreed to,
  - o Were used for treatment, payment, or health care operations, or
  - o CFI shared with the consumer
2. Also excluded is information CFI is required to release i.e. for national security purposes, to law enforcement officials, or correctional facilities.
3. Consumers can request a list of disclosures CFI made after April 14, 2003, and during a specified amount of time, but not more than six years.
4. Requests must be submitted in writing to CFI's Privacy Officer (Director of Quality Assurance). CFI will respond to the written request within 60 days of receiving it. CFI will notify the consumer of the cost involved in preparing this list.

G. REQUEST ALTERNATE MEANS OF COMMUNICATION

1. Consumers have the right to ask that CFI send information to a specific address. A consumer can also make a request as to how to be contacted.
2. Requests must be made in writing and given to a staff person at the program where the individual receives services. CFI can deny the request if it is deemed unreasonable.

H. QUESTIONS AND COMPLAINTS

1. Consumers are entitled to a copy of CFI's Notice of Privacy. In addition to receiving and signing one at admission, copies are available by writing to CFI's Privacy Officer or a copy is available on the CFI website at [www.communityfriendship.org](http://www.communityfriendship.org)
2. Complaints related to privacy may be filed with CFI's Privacy Officer or with the United States Secretary of Health and Human Services. There will be no reprisals against an individual for filing a complaint with CFI or anyone else about any practice, policy, or action .

I. ELECTRONIC STORAGE OF PROTECTED HEALTH INFORMATION

1. All computer systems, electronic devices and electronic media must be properly cleaned of sensitive data and software before being transferred outside of Community Friendship either as surplus property or as trash.
2. Computer hard drives must be sanitized by using software that is compliant with removing said data so that it is not readable or accessible through normal methods. Non-rewritable media, such as CDs or non-usable hard drives, must be physically destroyed. USB drives containing data for Community Friendship are maintained by employees of Community Friendship and is the property of CFI.
3. The primary responsibility for sanitizing computer systems, electronic devices and media rests with Community Friendship. The CFI IT contractor will not store or keep this property in his possession. The IT contractor will perform said tasks with the approval of Community Friendship management, acting as agent on the company's behalf. The IT contractor will not initiate these tasks without request of appropriate CFI management and will perform such services by proxy.



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Jean Toole, President/CEO

Effective April 2003  
Revised August 2011  
Revised May 2017

Attachments:    Notice of Privacy Practices  
                     Request to Inspect or Copy Personal Health Information  
                     Request to Amend Personal Health Information  
                     Request a Restriction of PHI  
                     Request for Accounting of Personal Health Information Disclosures  
                     Log for Incidental Disclosures of Personal Health Information  
                     Business Associate Agreement