

NOTICE OF PRIVACY PRACTICES

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

The Louisiana Department of Health (LDH) provides many types of services. LDH staff must collect information about you to provide these services. LDH knows that information we collect about you and your health is private. LDH is required to protect this information by Federal and State law. **We call this information “protected health information” (PHI).**

This Notice of Privacy Practices tells you how LDH may use or disclose information about you. Not all situations will be described. We are required to give you a notice of our privacy practices for the information we collect and keep about you. LDH is required to follow the terms of the notice currently in effect. However, LDH may change its privacy practices and make that change effective for all PHI maintained by the Department. The effective date of this Notice of Privacy Practices is April 14, 2003.

LDH May Use and Disclose Information without Your Authorization

- **For Treatment.** LDH may use or disclose information to health care providers who are involved in your health care. For example, information may be shared to create and carry out a plan for your treatment.
- **For Payment.** LDH may use or disclose information to get payment or to pay for the health care services you receive. For example, LDH may provide PHI to bill your health plan for services provided to you.
- **For Health Care Operations.** LDH may use or disclose information in order to manage its programs and activities. For example, LDH may use PHI to review the quality of services you receive.
- **Appointments and Other Health Information.** LDH may send you reminders for medical services, checkups, and eligibility renewal. LDH may send you information about health services that may be of interest to you.
- **For Public Health Activities.** LDH is the public health agency that keeps and updates vital records such as births, deaths, and the tracking of some health issues and diseases.
- **For Health Oversight Activities.** LDH may use or disclose information to inspect or investigate health care providers.

- **As Required by Law and For Law Enforcement.** LDH will use and disclose information when required or permitted by Federal or State law or by a court order. If Federal or State law creates higher standards of privacy, LDH will follow the higher standard.
- **For Abuse Reports and Investigations.** LDH is required by law to receive and investigate reports of abuse, neglect or exploitation.
- **For Government Programs.** LDH may use and disclose information for public benefits under other government programs. For example, LDH may disclose information for the determination of Supplemental Security Income (SSI) benefits.
- **To Avoid Harm.** LDH may disclose PHI to law enforcement agencies in order to avoid a serious threat to the health, welfare and safety of a person or the public.
- **For Research.** LDH uses information for studies and to develop reports.
- **Disclosures to Family, Friends, and Others.** LDH may disclose information to your family or other persons who are involved in your medical care. You have the right to object to the sharing of this information.

Other Uses and Disclosures Require Your Written Authorization

For other situations, LDH will ask for your written authorization before using or disclosing information. You may cancel this authorization at any time in writing. LDH cannot take back any uses or disclosures already made with your authorization.

Other Laws Protect Your Protected Health Information

Many LDH programs have other laws for the use and disclosure of information about you. For example, your written authorization may be needed for LDH to use or disclose your mental health or chemical dependency treatment records.

Your Privacy Rights

- **Right to See and Get Copies of Your Records.** In most cases, you have the right to look at or get copies of your records. You must make the request in writing. You may be charged a fee for the cost of copying your records.
- **Right to Request to Correct, Amend, or Update Your Records.** You may ask LDH to change or add missing information to your records if you think there is a mistake. You must make the request in writing, and provide a reason for your request.
- **Right to Get a List of Disclosures.** You have the right to ask LDH for a list of disclosures made after April 14, 2003. You must make the request in writing. This list will not include the times that information was disclosed for treatment, payment, or health care operations.

The list will not include information provided directly to you or your family or information that was sent with your authorization.

- **Right to Request Limits on Uses or Disclosures of Protected Health Information.** You have the right to ask LDH to limit how your information is used or disclosed. You must make the request in writing and tell LDH what information you want to limit and to whom you want the limits to apply. LDH is not required to agree to the limit. You can request in writing that the limit be terminated.
- **Right to Revoke Permission.** If you are asked to sign an authorization to use or disclose information, you can cancel that authorization at any time. You must make the request in writing. This will not affect information that has already been shared.
- **Right to Choose How We Communicate with You.** You have the right to ask that LDH share information with you in a certain way or in a certain place. For example, you can ask LDH to send information to your work address instead of your home address. You must make this request in writing. You do not have to explain the reason for your request.
- **Right to File a Complaint.** You have the right to file a complaint with LDH at the address listed below and with the Secretary of the United States Department of Health and Human Services if you do not agree about how LDH has used or disclosed information about you.
- **Right to Get a Paper Copy of this Notice.** You have the right to ask for a paper copy of this notice at any time.
- **Right to Receive Notice of Change to LDH Privacy Practices.** You have a right to receive notice of changes in LDH privacy practices that affect you on or after the effective date of the change.

How to Review LDH Privacy Policies

You may review LDH privacy policies and related forms by going to www.LDH.la.gov/HIPAA and looking for the HIPAA Privacy Policy link. You may also contact the LDH Privacy Officer at the address listed at the end of this notice.

How to Contact LDH to Review, Correct, or Limit Your Protected Health Information (PHI)

You may contact the local LDH office which collects and maintains your protected health information or you may contact the LDH Privacy Officer at the address listed at the end of this notice to:

- ✓ Ask to look at or copy your records;
- ✓ Ask to limit how information about you is used or disclosed;
- ✓ Ask to cancel your authorization;
- ✓ Ask to correct or change your records; or
- ✓ Ask for a list of the times LDH disclosed information about you.

Your request to look at, copy, or change your records may be denied. If LDH denies your request, you will receive a letter that tells you why your request is being denied and how you can ask for a review of the denial. You will also receive information about how to file a complaint with LDH or with the U.S. Department of Health and Human Services, Office for Civil Rights.

How to File a Complaint or Report a Problem

You may contact the Privacy Office listed below if you want to file a complaint or to report a problem about how LDH has used or disclosed information about you. Your benefits will not be affected by any complaints you make. LDH cannot punish or retaliate against you for filing a complaint, cooperating in an investigation, or refusing to agree to something that you believe to be unlawful. Your Privacy Office contact is:

State of Louisiana
Louisiana Department of Health
Bureau of Health Services Financing
Privacy Office
P.O. Box 91030
Baton Rouge, LA 70821-9030
Phone: (225) 342-3855
Privacy-bhsf@LA.gov