



NOTICE OF PRIVACY PRACTICES

As required by HIPAA privacy regulations, this notice describes how protected health information about Washburn clients may be used and disclosed, and client rights to access and amend their information. The following policies and procedures are based on HIPAA Privacy requirements and applicable Minnesota State Law. Please review it carefully. This Notice was first in effect on April 13, 2003 and was revised effective October 8, 2010.

- Washburn Center for Children is permitted to use and disclose protected health information (PHI) for treatment, payment and health care operations, as described in the following examples:
 1. For treatment – (example, multidisciplinary team case consultation).
 2. For payment – (examples: determining a client's insurance eligibility or coverage, obtaining prior authorization from an insurance company for a service, or billing a client's insurance for a service provided).
 3. For health care operations – (examples, outcomes evaluation or quality assessment activities).
- Washburn Center for Children is permitted or required, under specific circumstances, to use or disclose protected health information without written authorization from the individual. (If a use or disclosure for any purpose prescribed in the Privacy Regulation is prohibited or materially limited by applicable Minnesota State law, the description of such use or disclosure reflects the more stringent law.)
- An "individual" refers to an individual client or to the parent/legal guardian of a child client.
- Other uses and disclosures will be made only with the individual's written authorization and the individual may revoke such authorization.
 1. Individuals may be contacted for appointment reminders.
 2. Washburn Center for Children does not solicit clients currently receiving services from the agency. Agency newsletters, information and solicitation materials may be sent to former clients. Anyone who does not wish to receive these materials may opt out at any time by notifying the Development Department by phone (612) 872-3357, fax (612) 871-1505, or by email at donate@washburn.org.

Client Rights

- Individuals have the following rights regarding protected health information; the extent of and exceptions to these rights are defined in the Privacy Regulation:
 1. The right to request restrictions on certain uses and disclosures of protected health information. Washburn Center for Children is not required to agree to a requested restriction, however.
 2. The right to receive confidential communications of protected health information, as applicable.
 3. The right to inspect and copy protected health information as applicable.
 4. The right to amend protected health information, as applicable.
 5. The right to receive an accounting of disclosures of protected health information, as applicable.
 6. The right to obtain a paper copy of the Notice from the covered entity upon request. This right extends to an individual who has agreed to receive the Notice electronically.
- Federal and State laws grant clients of this Agency the right to strict privacy in regard to information about themselves. This means that no information by which a client could be identified will be given by us to anyone else at any time without written consent of the individual, unless specifically required or permitted for treatment, payment, or health care operations purposes by law. Important exceptions are that center staff are required by law to report suspected abuse and neglect of children or vulnerable adults and records may be subpoenaed if a client is involved in a court action.
- Individuals are not required to give any information about themselves. However, refusal to give needed information will hamper service planning. The information that is requested about clients is needed for one or more of the following reasons:
 1. To help us evaluate clients' needs for services and develop a plan to meet those needs;
 2. To determine financial eligibility for reduced service fees;
 3. To meet Federal, State, and Local statistical requirements.

- No audio or video recording of a treatment session will be made without client permission. No one except Center staff involved in treatment will view or listen to a treatment session or recording of a session, or read a verbatim transcript of a session unless the client gives permission.
- Individuals have the right to view their protected health information, with a few exceptions:
 1. If a doctor or licensed provider believes that it will be harmful to the client or others.
 2. Information compiled in anticipation of, or for use in, a civil, criminal or administrative action or proceeding.
- Clients may have the information explained to them by an agency clinician and may request corrections, additions, or amendments to any information in their client chart. If individuals have any questions about data privacy or client privacy rights, they may contact the agency's privacy official or their clinician.
- Washburn Center for Children is required by law to maintain the privacy of protected health information and to provide individuals with notice of its legal duties and Privacy practices with respect to protected health information.
- Washburn Center for Children is required to abide by the terms of the Notice currently in effect.
- Washburn Center for Children reserves the right to change the terms of this Notice. The new Notice provisions will be effective for all protected health information that it maintains.
- Washburn Center for Children will provide individuals with a revised Notice by providing clients with a revised copy of the Notice at the individual's next session.
- Complaints may be made to Washburn Center for Children and to the Secretary of the Department of Health and Human Services, without fear of retaliation by the organization, if an individual believes their privacy rights have been violated. A description of how a complaint may be filed follows:

Client Grievance/Complaint Procedure

- *What is a grievance?*
A grievance is any complaint or concern that a client, referring agency, or person(s) in the community has about the service and/or treatment associated with Washburn staff and/or the facility. Washburn is committed to processing grievances in a timely manner respectful to all parties involved.
- *Filing a grievance*
Grievances may be communicated in writing, by phone, or in person. However, we encourage individuals to use the written method whenever possible and ask that those complaints be filed within a month of when the situation occurred.
- If you wish to file a grievance or make a complaint, the following procedure is available to you:
 1. We suggest as the first step that a complaint or concern be shared with the individual(s) with whom you have a grievance.
 2. If a satisfactory solution to the situation is not obtained through discussion with the individual(s), then you may contact the unit supervisor. That person will assess the level of urgency of the matter from the information you have provided. The response time for contacting the complainant on emergency matters is within 24 hours; urgent matters with 48 hours and non-urgent matters within 5 days. The supervisor will assist you with the next step(s) to be taken in resolution of the grievance.
 3. If the grievance is not resolved through the above process, the Clinical Director, Arlene Schatz, is available for consultation at (612) 871-1454.
 4. If the grievance is still not resolved through the above steps, the Executive Director, Steve Lepinski, is available at (612) 871-1454.
- All efforts will be made to obtain resolution on grievances in the shortest amount of time possible with the goal being no more than 30 days. The timeliness to achieve this may be affected by factors such as the availability of the person(s) involved that may result in unavoidable delays. In such cases, the person making the complaint will be notified about the circumstances.
- If you do not feel the grievance procedure has yielded a satisfactory resolution and/or if you do not want to utilize this procedure, you may contact one of the following: Board of Social Work (612) 617-2100; Board of Psychology (612) 617-2220; LMFT Board (612) 617-2220; Board of Medical Practice (612) 617-2130; or to the Department of Health and Human Services at (651) 296-3971.