

SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE

Notice of Privacy Practices

Effective Date: July 1, 2003

Instructions: DJJ staff will review the provisions of this Notice with the juvenile and his/her parents/guardians and obtain their signatures. The signed original form will be placed in Section 2 of the juvenile's County Office record. A copy will be provided to the juvenile.

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

At the South Carolina Department of Juvenile Justice (DJJ) we create and maintain health care information about you and the treatment you receive at or through DJJ. We need this record to provide you with high quality care. We are required by law to make sure that health information about you is protected. We are also required by law to provide you a copy of this Notice and to comply with this Notice.

HOW WE MAY USE AND RELEASE (DISCLOSE) YOUR PROTECTED HEALTH INFORMATION WITHOUT YOUR WRITTEN APPROVAL (AUTHORIZATION):

For Treatment: We use and disclose your protected health information to provide your medical care and treatment. DJJ staff may share your health information to plan, coordinate, and manage your treatment. For example, sharing information about any medication you are taking with those responsible for your care. We may also disclose health information about you to family members of others involved in your treatment or in payment for your treatment.

For payment: We may use and disclose your protected health information to obtain payment for the treatment and services we provide for you. For example, we may give an insurance company information about treatment and services you received from DJJ so the health plan will pay us.

For healthcare operations: We may use and disclose protected health information about you for our administrative activities and operations that are needed to run DJJ. For example, we may use health information to review our treatment to evaluate the performance of our staff in caring for you. We may disclose your information to DJJ health care and treatment staff, interns, and other personnel for educational purposes. We may disclose your protected health information to comply with State and Federal law.

For appointment reminders: We may use and disclose protected health information to contact you by mail or phone or leave a message for reminding you of an appointment. The phone number that you give us may be used for automatic message, unless you tell us to use a different number.

For treatment alternative and services: We may use and disclose protected health information to let you know about treatment options or health-related services that may be of interest to you.

For "business associate" functions: We may share your protected health information with our business associates that perform functions for DJJ, such as billing and technology support. When an arrangement between our office and a business involves your protected health information, we will have a written agreement with that business that has terms to protect your private information.

For abuse or neglect: If we believe that you have been a victim of abuse, neglect or domestic violence, we may disclose your protected health information to an agency authorized to receive such information.

For legal proceedings: We may disclose protected health information during a judicial or administrative proceeding when we are ordered to do so by a court or administrative tribunal or in certain conditions in response to a subpoena, discovery request, or other lawful process.

For other required or permitted uses: We may use and disclose your protected health information as required by law and to comply with the requirements of workers compensation, law enforcement, corrections, national security, military activities, organ donation, health oversight agencies, coroners, funeral directors, and public health authorities. We must provide your protected health information to the Secretary of the U. S. Department of Health and Human Services when asked. We may use and disclose your protected health information when necessary to respond to a serious threat to your health or safety or the health or safety of another person.

For armed forces: We may disclose your protected health information as required by military command authorities.

For committed juveniles: We may use or disclose your protected health information when required.

For research: Under certain circumstances we may use and disclose protected health information about you for research purposes. We may disclose your protected health information to people preparing to conduct a research project, for example, to help them identify

persons with specific criteria, as long as the protected health information does not leave DJJ. We may disclose information to researchers after approval of the research.

HOW WE MAY USE AND DISCLOSE YOUR PROTECTED HEALTH INFORMATION WITH YOUR WRITTEN AUTHORIZATION:

Some uses and disclosures of your protected health information may be made only with your prior written approval (authorization). For example, disclosure of your psychotherapy notes to another treatment provider requires your authorization. You may ask DJJ in writing to revoke your authorization (stop releasing your protected health information) and we will stop. We cannot get back information that was released before you revoked the approval. It is the practice of DJJ to get your prior written authorization before we release a copy of your medical record to another healthcare provider.

YOUR RIGHTS REGARDING YOUR PROTECTED HEALTH INFORMATION:

Although your record is the physical property of DJJ, you have the right to look at and obtain a copy of your protected health information, except psychotherapy notes and in certain other circumstances. To look at and copy your protected health information, you must write a request and ask our staff to forward it to the DJJ Records Manager. Your request may be disapproved and you will be given the reason. You may ask that the DJJ Legal Office review your request and the disapproval. When you get a copy of your record information, DJJ may charge a fee for the cost. Additionally, you have the right to:

Request in writing a restriction on certain uses and disclosure of your protected health information. We may not agree to a requested restriction.

Be able to request in writing that we communicate with you by alternative means or at alternative locations and we will try to accommodate your request.

Request in writing an accounting of certain disclosure of your protected health information. Disclosures for treatment, payment and healthcare operations, and those with your signed authorization are not included in an accounting.

Request that your protected health information be changed if you believe that the health information we have about you is incorrect or incomplete. Your request must be in writing and must state the reason you are requesting the change. In certain cases, we may deny your request for the change. If we deny your request for the change, you have the right to file a statement of disagreement with us and we may prepare a rebuttal to your statement and will provide you with a copy of any such rebuttal.

COMPLAINT PROCESS:

If you believe that your privacy rights have been violated by us, you may complain in writing to the DJJ Office of the Inspector General, P.O. Box 21069., Columbia, South Carolina, 29221, telephone number 803-896-9502, or the Secretary of the U. S. Department of Health and Human Services in Washington, S.C. The Inspector General will investigate your complaint. You will not be penalized in any way for filing a complaint. DJJ considers the privacy of your protected health information an important part of your healthcare.

EFFECTIVE DATE OF NOTICE:

We reserve the right to change this Notice. The current Notice will show the effective date in the center top of the first page. A copy of our current Notice of Privacy Practices is available for you upon request. You may also view the Notice at the DJJ web-site, www.state.sc.us/djj/fact-sheets.htm .