



HIPAA PRIVACY NOTICE

This HIPAA Privacy Notice describes how the City of Providence may use and disclose protected health information to carry out treatment, payment or health care operations and for other purposes that are permitted or required by law. It also describes the rights of employees to access and control their protected health information. "Protected health information" is information about an employee, including demographic information, that may identify an employee and that relates to his/her past, present and future physical or mental health or condition and related health care services.

Uses and Disclosures of Protected Health Information

The City uses health information for treatment, to obtain payment for treatment, for administrative purposes, and to evaluate the quality of care that employees receive. The City may use or disclose identifiable health information without authorization for several other reasons. Subject to certain requirements, the City may provide health information without authorization for public health purposes, for auditing purposes, for research studies and for emergencies. The City provides information when otherwise required by law, such as for law enforcement in specific circumstances. In any other situation the City will ask for written authorization before using or disclosing any identifiable health information. If an employee chooses to sign an authorization to disclose information, that employee may later revoke authorization to stop any future uses and disclosures.

The City may change its policy at any time. Before any significant change is made, the City will change its notice and post the new notice. An employee may request a copy of a notice at any time. For more information about the City's privacy practices, contact the Human Resources Department.

Federal regulations governing the use and disclosure of protected health information may require the City to disclose health information in any of the following situations:

Required By Law - Employee will be notified, as required by law, of any such uses or disclosures.

Public Health - For public activities and to a public health authority that is permitted by law to collect or receive the information, for the purpose of controlling disease, injury or disability or if directed by the public health authority, to a foreign government agency that is collaborating with the public health authority.

Communicable Diseases - If authorized by law, to a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading disease or condition.

Health Oversight - To a health oversight agency for activities authorized by law, such as audits, investigations and inspections. Oversight agencies may include government agencies that administer healthcare systems, government benefits programs and other government regulatory programs.

Abuse or Neglect - To a public health authority that is authorized by law to receive reports of child abuse or neglect or to a governmental entity or agency if there is a belief that an employee has been a victim of abuse, neglect or domestic violence. In this case, the disclosure will be made consistent with federal and state laws.

Food and Drug Administration - As directed or required by the Food and Drug Administration for the purposes of:

1. Reporting adverse events (or similar activities with respect to food or dietary supplements), product defects or problems (including the use or labeling of a product) or biological deviations.
2. Tracking FDA-regulated products.
3. Enabling product recalls, repairs or replacements or look back (including locating and notifying individuals who have received products that have been recalled, withdrawn, or are the subject of look back.)
4. Conducting post-marketing surveillance.

Legal Proceedings - In the course of any judicial or administrative proceedings, in response to an order of a court or administrative tribunal (to the extent such disclosure is expressly authorized) or in certain conditions in response to a subpoena, discovery request or lawful process.

Law Enforcement – So long as applicable legal requirements are met, for law enforcement purposes. May include:

1. Legal processes.
2. Limited information requests for identification and location purposes.
3. Pertaining to victims of crime.
4. Suspicion that death has occurred as a result of criminal conduct.
5. Crimes that occur on the City premises.
6. Medical emergency and it is likely that a crime has occurred.

Coroners, Funeral Directors and Organ Donation – To a coroner or medical examiner for identification purposes, to determine cause of death or other duties authorized by law; to a funeral director to carry out duties as authorized by law; for cadaver organ, eye or tissue donation purposes.

Research – When approved by an institutional review board and in adherence to a research proposal and established protocols to ensure the privacy of protected health information.

Criminal Activity – When there is a belief that disclosure will prevent or lessen a serious and imminent threat to the health and safety of a person or the public or for law enforcement authorities to identify or apprehend an individual.

Military Activity and National Security – For individuals are members of the Armed Forces personnel for:

1. Activities deemed necessary by appropriate military command authorities.
2. To determine eligibility for benefits by the Department of Veterans Affairs.
3. To foreign military authority if an employee is a member of a foreign military service.
4. To authorized federal officials for conducting national security and intelligence activities, including the provision of protective services to the President or other legally authorized activities.

Workers' Compensation – In order to ensure compliance with workers' compensation laws or other similarly legally-established programs.

Inmates – For the purposes of providing healthcare information to a physician if an employee is an inmate of a correctional facility.

Required Uses and Disclosures. When required by the Secretary of the Department of Health and Human Services to investigate or determine the City's compliance with the requirements of Section 164.500 et. seq.

Employees' Rights

The following is a statement of employees' rights with respect to protected health information and a brief description of how to exercise these rights.

Employees have the right to inspect and copy their protected health information. This means an employee may inspect and obtain a copy of protected health information that is contained in a designated record set for as long as the City maintains the protected health information. A "designated record set" contains medical and billing records and any other records that a physician's practice uses for making decisions. Under federal law, however, an employee may not inspect or copy the following records- psychotherapy

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notes; information compiled in reasonable anticipation of, or use in, a civil, criminal or administrative action or proceeding; and protected health information that is subject to laws that prohibits access to protected health information. In some circumstances, an employee may have a right to have this decision reviewed. Please contact the Human Resources Department if you have any questions about access to medical record.

An employee has the right to request a restriction of his/her protected health information. This means an employee request that protected health information not be used or disclosed for the purposes of treatment, payment or healthcare operations. An employee may also request that any part of his/her protected health information may not be disclosed to family members or friends who may be involved in care or for notification purposes as described in this document. The request must state the specific restriction requested and to whom the restriction applies. The City is not required to agree to a requested restriction but agreed to the City may not use or disclose protected health information in violation of that restriction unless it is needed to provide emergency treatment.

An employee has the right to request to receive confidential communications from the City by alternative means or at an alternative location. The City will accommodate reasonable requests. However, the City may condition the accommodation by asking for information regarding payment or specification of an alternative address or other method of contact. The City will not request an explanation as to the basis for the requests. Requests should be made in writing and addressed to the Director of Human Resources.

An employee may request a physician to amend protected health information. This means an employee may request an amendment of protected health information in a designated record set for as long as the record is maintained. In certain cases, the City may deny a request. If denied an employee has the right to file a statement of disagreement. The City may prepare a rebuttal to the statement and will provide the employee with a copy of the rebuttal. Please contact the Human Resources Department for more information.

An employee has the right to receive an accounting of certain disclosures made, if any, of protected health information. This right applies to disclosures for purposes other than treatment, payment or healthcare operations as described in this Notice. It excludes disclosures made for a facility directory, to family members or friends involved in care, or for notification purposes. Employees have the right to receive specific information regarding these disclosures that occurred after April 14, 2003. An employee may request a shorter timeframe. The right to receive this information is subject to certain exceptions, restrictions, and limitations.

An employee has the right to obtain a paper copy of this notice upon request, even when he/she has agreed to accept this notice electronically.

Complaints

Employees may complain to the City or to the Secretary of Health and Human Services if it is believed that privacy rights have been violated by the City. A complaint may be filed with the City by notifying the Human Resources Department in writing. The City will not retaliate against you for filing a complaint.

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