Notice of Privacy Practices

Jefferson County Board of Developmental Disabilities

FOR YOUR PROTECTION

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. IT ALSO DESCRIBES OUR PRACTICES ABOUT SCHOOL OF BRIGHT PROMISE SCHOOL RECORDS.

YOUR RECORDS ARE PRIVATE

We understand that information we collect about you or your child and records of the services and supports we provide, are personal. Keeping these records private is one of our most important responsibilities. The Agency must follow many laws to protect your privacy. For the School of Bright Promise school records, and all other records of individuals under 18 years old, we follow the federal FERPA and IDEA laws. For adult services, and certain services for children, we follow the federal HIPAA laws. In addition, we follow many laws specific to Ohio Developmental Disability Boards. For this notice, we will use the term "records" to mean the paper or electronic records we maintain about you.

- If you choose to opt-in to SMS/MMS communications, your data not be shared with outside organizations.

WHO USES AND DISCLOSES MY RECORDS?

Your records may be used and disclosed by the employees and volunteers at the Agency who serve you, as well as persons or agencies who work for us and sign strict confidentiality contracts.

Our organization includes the Jeffco Administrative Building and the School of Bright Promise Building.

At the School of Bright Promise, for example, records may be shared with "school officials" who have a "legitimate educational interest" in your child. "Educational interest" means any matter related to your child's instruction, developmental or behavioral support, dietary, health or safety. "School officials" include teachers, paraprofessionals, aides, bus drivers and administrators at Jefferson County Board of Developmental Disabilities.

In general, we use and disclose your information:

- For teaching, behavioral and medical support, transportation and school administration. For example, a school administrator will review progress data created by teachers.
- To provide the full range of services we provide: early intervention, habilitation, supported employment, and other services. For example, your service and support coordinator will review your records to create an ISP, which may be shared with you, your guardian, a vocational specialist, and other persons involved with providing services and supports to you.
- To get payment for services provided: for example, the billing clerk uses service records of services provided to submit bills to the Ohio Department of Developmental Disabilities,
- For other operations to operate and manage the Agency: these include improving quality of care, training staff, managing costs, and conducting other business duties. For example, a quality assurance reviewer may audit your records to determine whether appropriate services were provided,
- To remind you or a guardian of an appointment for services,
- The Agency or an affiliated foundation may contact you to raise funds. You have the right to opt out of any fundraising communications.

COULD MY RECORDS BE RELEASED WITHOUT MY PERMISSION?

There are limited situations when we are permitted or required to disclose your records, or parts of them, without your signed permission. These situations include:

- Record transfers to other schools your child enrolls in,
- Reports to public health authorities to prevent or control disease or other public health activities,
- To protect victims of abuse, neglect, or domestic violence,
- For oversight including investigations, audits, accreditation and inspections, such as are conducted by the Ohio Department of Developmental Disabilities, Ohio Department of Education and federal agencies,

- When a court order, subpoena or other legal process compels us to release information,
- Reports to law enforcement agencies when reporting suspected crimes, when responding to an emergency, or in other situations when we are legally required to cooperate,
- In connection with an emergency, or to reduce or prevent serious threat to public health and safety, or the safety of a person,
- to coroners, medical examiners and funeral directors,
- to victims of alleged violence or sex offenses,
- For workers' compensation programs,
- For specialized government functions including national security, protecting the president, operating government benefit programs, and caring for prisoners,
- In connection with "whistleblowing" by an employee of the Agency.

All other uses not described above require that we obtain your signed permission.

For any purpose not described above, we will release your information only with your explicit written authorization. Federal law requires the that we notify you that any healthcare provider must obtain your explicit permission to release your information for any of the following:

1. Psychotherapy Notes will only be released with your signed authorization;
2. For marketing purposes;
3. To sell information about you.

WHAT IF MY RECORDS NEED TO GO SOMEWHERE ELSE

It has never been the Agency's practice to release information for marketing purposes or to sell your information. Your written authorization tells us what, where, why and to whom the information must be sent. Your signed authorization is good until the expiration date you specify. You can cancel your permission at any time by letting us know in writing.

Redisclosure Possibility- This notice describes many situations where we may send your information to someone else. When records are sent somewhere else, they might not be protected by HIPAA. For example, if a court requires us to send them your records for a criminal case, your records might be disclosed publicly in court.

RECORDS RELATING TO SUBSTANCE USE DISORDER TREATMENT

Facilities that advertise as treatment centers for drug or alcohol abuse must provide additional protection for your records over and above the HIPAA regulations. These additional protections are in a regulation known as 42 CFR Part 2,

If you receive substance use abuse treatment at a treatment center, and those records are sent to us, we will not release them to any civil, criminal, administrative, or legislative proceeding against you unless 1) you either provide us your written consent, or 2) a court first provides either you or the holder of the records the opportunity to challenge the release, and after your due process issues us an order compelling us to release your records.

WHAT ARE MY RIGHTS REGARDING PRIVACY, ACCESS TO MY RECORDS, AND THE ACCURACY OF MY RECORDS?

You have legal rights concerning your privacy, access to your records, and the accuracy of your records. You have the following rights:

1. To see your records, or to get a copy, including an electronic copy;
2. To request a correction to your records if you believe they are incorrect;
3. To receive all communications at a confidential address or phone number;
4. To receive an "accounting of disclosures", that is, a list of any place we sent your record without your authorization;
5. To request additional limits on how we use or disclose your information, although we are not obliged to honor these requests except that if you choose to personally pay for services delivered, we will not bill Medicaid.
6. You may receive a paper copy of this notice.

To exercise any of these rights, or if you have any questions or complaints regarding our privacy practices, call, deliver, mail or email your request to:

HIPAA Privacy Officer
JCBDD County Board of DD
250 John Scott Highway
Steubenville, OH 43952
740-264-5812
acolabella@jcbdd.com

Ask any employee if you need help in putting your request in writing.

OUR DUTIES

We are obligated by law to maintain the privacy of your information and to provide this notice. In the event of a breach, that is, an improper disclosure of your information, we are required to notify you. We are required by law to abide by the terms of this notice. From time to time we may make changes to our policies, and if and when we do, your records will be protected by our new, changed policies. Our current notice will always be available on our website.

QUESTIONS OR COMPLAINTS?

If you have any questions or complaints about our privacy practices, please contact us:

Attn: HIPAA Privacy Officer
JCBDD County Board of DD
250 John Scott Highway
Steubenville, OH 43952
(740) 264-5812

We will never retaliate against you for filing a complaint. Further, if you are not satisfied with the results, you may also complain to the federal government:

For School issues:
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

For any other issues:
Secretary of Health and Human Services
200 Independence Avenue, SW
Washington, D.C. 20201
www.hhs.gov/ocr/privacy/hipaa/complaints/index.html

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