

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.**

1. Purpose of this Notice:

Pursuant to the Health Insurance Portability and Accountability Act of 1996, this notice explains how the Berlin Brothersvalley School District may use and disclose YOUR PROTECTED HEALTH INFORMATION. This NOTICE describes the types of information that is collected and YOUR rights with regards to that information.

2. Definitions:

As used in this NOTICE, the following capitalized terms shall have the meanings ascribed to them unless the context clearly indicates otherwise:

INCLUDES and/or INCLUDING means inclusive of and not limited to and by way of example and not limitation.

"NOTICE" means this Notice of Privacy Practices.

"PROTECTED HEALTH INFORMATION" means your individually identifiable health information maintained in any form or medium by the Berlin Brothersvalley School District. PROTECTED HEALTH INFORMATION INCLUDES the following: health history; medical records; name, address, and date of birth; marital status; sex; social security number; information regarding dependents, and; other similar information that relates to past, present or future medical care. PROTECTED HEALTH INFORMATION does **not** include individually identifiable health information maintained in education records, as defined by the Family Education Rights and Privacy Act.

"PROVIDER" refers to all employees, agents and subcontractors of the Berlin Brothersvalley School District who provide medical care or health services for which the Berlin Brothersvalley School District seeks reimbursement through electronic means. For the purposes of this Notice and YOUR rights under the Health Insurance Portability and Accountability Act of 1996, PROVIDER refers to the health care component designated as the PROVIDER by Berlin Brothersvalley School District.

"YOU and "YOUR" refers to the individual whose PROTECTED HEALTH INFORMATION is covered by this NOTICE. In the case of an unemancipated minor, "YOU" and "YOUR" refer to the unemancipated minor, or the parents or other legal guardians entitled to exercise rights under this NOTICE, as the context requires.

3. Permitted Uses and Disclosures of Protected Health Information:

A. Uses and Disclosures for Treatment:

The PROVIDER may use or disclose YOUR PROTECTED HEALTH INFORMATION without YOUR authorization for all treatment purposes as allowed by law, INCLUDING to doctors, nurses, laboratory technicians, medical students, psychologists, physical therapists, speech therapists, and other health care and personnel involved in YOUR treatment.

B. Uses and Disclosure for Payment:

The PROVIDER may use and disclose YOUR PROTECTED HEALTH INFORMATION without YOUR authorization for its own payment activities as allowed by law, INCLUDING to obtain reimbursement for eligible medical and health services under the Medical Assistance program.

C. Uses and Disclosures for Operations:

The PROVIDER may use and disclose YOUR PROTECTED HEALTH INFORMATION without YOUR authorization for all of its own health care operations as allowed by law, INCLUDING the provision of "related services" as required by the Individuals with Disabilities Education Act.

4. Other Uses and Disclosures for Which Your Authorization is Not Required:

In the situations described below, Berlin Brothersvalley School District may disclose YOUR PROTECTED HEALTH INFORMATION without obtaining YOUR authorization:

- When requested by a public health authority for the purpose of preventing or controlling disease, injury, or disability;
- When requested by a public health authority in connection with reporting of child abuse or neglect;
- To a government authority of the PROVIDER: (1) reasonably believes that YOU may be the victim of abuse, neglect, or domestic violence; (2) is required by law to make the disclosure; (3) YOU are unable to consent to the disclosure; and, (4) the PROVIDER reasonably believes, in the exercise of professional judgment, that informing YOU of the disclosure would place YOU at risk of serious harm;
- To a health oversight agency for oversight activities authorized by law, including; audits; civil, administrative, or criminal investigations; inspections; licensure or disciplinary actions; civil, administrative, or criminal proceedings or actions; or other activities necessary for appropriate oversight of the health care system;
- In response to an order of court or administrative tribunal, but only to the extent required by the order;
- In response to a subpoena, discovery request, or other lawful process, if the requesting party demonstrates that it made a good faith attempt to notify you of the request;
- To a law enforcement official, as required by law, pursuant to a warrant, subpoena, or other administrative summons;
- To a law enforcement official, upon request for the purpose of identifying or locating a suspect, fugitive, material witness, or missing person;
- To a law enforcement official, upon request, for identification of a victim of a crime, where you are unable to consent, where such information is not intended to be used against you, where immediate law enforcement activity depends upon the disclosure, and where the PROVIDER determines that it is in YOUR best interest to make the disclosure;
- To a law enforcement official, for the purpose of alerting law enforcement of the death of the individual if the PROVIDER has a suspicion that such death may have resulted from criminal conduct;
- To a law enforcement official, where the PROVIDER believes in good faith that the protected health information constitutes evidence of criminal conduct that occurred on the premises of the Berlin Brothersvalley School District;
- To a law enforcement official to avert a serious threat to health and safety;
- To a coroner, medical examiner or funeral director as required by, or consistent with, applicable law;
- To organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of cadaveric organs, eyes, or tissue for the purpose of facilitating organ, eye, or tissue donation and transplantation;
- To military, national security, and intelligence officials, as required by law.

5. *Statement of Privacy Policy and Practices:*

It is the policy and practice of the Berlin Brothersvalley School District to maintain YOUR PROTECTED HEALTH INFORMATION confidential and to not use or disclose YOUR PROTECTED HEALTH INFORMATION unless YOU authorize such use or disclosure, or such use or disclosure is permitted or required by law as described in the "Permitted Uses and Disclosures of Protected Health Information." Any use or disclosure of YOUR PROTECTED HEALTH INFORMATION by the Berlin Brothersvalley School District other than as listed in the "Permitted Uses and Disclosures of Protected Health Information" or "Other Uses and Disclosures for Which Your Authorization is Not Required" sections of this NOTICE will only be made with YOUR prior written authorization. In situations where YOU authorize the Berlin Brothersvalley School District to disclose YOUR PROTECTED HEALTH INFORMATION, YOU may revoke that authorization. Such revocation must be in writing to the Contact Person

designated in this NOTICE. If YOU provide proper written notice of revocation of authorization, the Berlin Brothersvalley School District is bound by that revocation except to the extent that it has acted in reliance on the authorization.

The Berlin Brothersvalley School District has adopted appropriate administrative, technical and physical safeguards to prevent unauthorized uses and disclosures of YOUR PROTECTED HEALTH INFORMATION.

6. *Your Rights Under the Health Insurance Portability and Accountability Act of 1996:*

A. *Restrictions.*

YOU have the right to request restrictions on how the PROVIDER uses or discloses YOUR PROTECTED HEALTH INFORMATION. Such requests must be in writing to the Contact Person designated in this NOTICE. The Berlin Brothersvalley School District is not bound by YOUR request, and may refuse to accept the requested restriction. If the Berlin Brothersvalley School District agrees to YOUR request for a restriction, the Berlin Brothersvalley School District will notify YOU in writing of its acceptance of the restriction.

B. *Communication.*

YOU may request to receive communications of YOUR PROTECTED HEALTH INFORMATION by reasonable alternative means or at reasonable alternative locations, if disclosure of all or part of that information could endanger YOU. Such request must be made in writing to the Contact Person designated in this NOTICE, must specify how the alternative communication is to be made, and must explain that the reasonable alternative means or reasonable alternative locations are requested because disclosure of all or part of the information could endanger YOU.

C. *Right to Inspect.*

YOU have the right to inspect and/or copy YOUR PROTECTED HEALTH INFORMATION that is maintained in a designated record set by the Berlin Brothersvalley School District. A request to inspect or copy must be made in writing to the Contact Person designated in this NOTICE. The Berlin Brothersvalley School District will act on YOUR request within 30 days of receipt. If the Berlin Brothersvalley School District grants YOUR request, YOU may be charged a reasonable fee for copying and postage. If the Berlin Brothersvalley School District denies YOUR request, the Berlin Brothersvalley School District will inform YOU in writing and will explain how YOU may contest the denial.

D. *Right to Amend.*

YOU have the right to request an amendment of YOUR PROTECTED HEALTH INFORMATION maintained by the Berlin Brothersvalley School District. A request for an amendment of YOUR PROTECTED HEALTH INFORMATION must be made in writing to the Contact Person designated in this NOTICE and must explain in sufficient detail the reason for the amendment. The Berlin Brothersvalley School District will act on the request for amendment within 60 days of receipt. If the Berlin Brothersvalley School District denies YOUR request for amendment, the Berlin Brothersvalley School District will inform YOU in writing of the denial and will explain how YOU may contest the denial.

E. *Right to An Accounting.*

YOU have the right to request an accounting of all disclosures by the Berlin Brothersvalley School District of YOUR PROTECTED HEALTH INFORMATION in the six years prior to the date on which the accounting is requested, or since April 14, 2003, whichever period is shorter. A request for an accounting must be made in writing to the Contact Person designated in this NOTICE. The Berlin Brothersvalley School District will provide an accounting of all disclosures of YOUR PROTECTED HEALTH INFORMATION, except those that it is not required by law to disclose.

F. *Right to Receipt of this Notice.*

YOU have the right to receive a written copy of this NOTICE by requesting a copy from the Contact Person designated in this NOTICE.

7. *Berlin Brothersvalley School District 's Duties.*

The Berlin Brothersvalley School District 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.

The Berlin Brothersvalley School District will abide by the terms of the NOTICE in effect at the time action is taken.

8. *Right to Change Notice.*

The Berlin Brothersvalley School District reserves the right to change the terms of its NOTICE and to make the new NOTICE provisions effective for all PROTECTED HEALTH INFORMATION that it maintains. If the Berlin Brothersvalley School District revises its NOTICE in any substantive manner, the Berlin Brothersvalley School District will notify YOU by regular mail of the revision. YOU may obtain a copy of the revised NOTICE by requesting it from the Contact Person designated in this NOTICE.

9. *Complaint Procedure.*

YOU may complain to the Berlin Brothersvalley School District and to the Secretary of the United States Department of Health and Human Services if YOU believe that the Berlin Brothersvalley School District has violated YOUR privacy rights. If YOU wish to initiate a complaint with the Berlin Brothersvalley School District, YOU may do so by writing to the Contact Person designated in this NOTICE, stating the grounds for YOUR complaint and the individual(s) or entity(ies) that YOU believe violated YOUR privacy rights. The Berlin Brothersvalley School District will investigate YOUR complaint and will take appropriate action.

The Berlin Brothersvalley School District will not retaliate against YOU for filing a complaint, either with or without the Secretary of the United States Department of Health and Human Services.

10. *Contact Person.*

The Contact Person for the Berlin Brothersvalley School District designated by this NOTICE is: Rachel Prosser, Business Manager. In the event that YOUR complaint concerns actions by the Contact Person, YOU may alternatively contact the Privacy Officer: Mr. Eric Lauer, Interim Superintendent or designee.

11. *Effective Date.*

The effective date of this NOTICE is April 14, 2003.

Updated: 7/1/2006

Updated: 7/1/2013

Updated: 6/1/2015

Updated: 12/8/2016

Updated: 12/7/2023

Updated: 10/10/2024

Updated: 01/15/2026