

HIPAA Rights Information Sheet

HIPAA: The Health Insurance Portability and Accountability Act of 1996

HIPAA gives you the right to decide who can look at, and who can receive, your medical records and other health information.

Who must follow this law?

- Most doctors, nurses, pharmacies, hospitals, clinics, nursing homes, and many other health care providers.
- Health insurance companies and most employer group health plans.
- Some government programs that pay for health care, such as Medicare and Medicaid.

What information is protected?

- Information your doctors, nurses, and other health care providers put in your medical record.
- Conversations your provider has about your care or treatment with other health care providers.
- Billing information about you.
- Most other health information about you that other health care providers have, and who also must follow this law.

You have a right to:

- Ask to see, and get a copy of, your health records:
 - In most cases, you should receive copies within 30 days; you may have to pay for the cost of copying and mailing
 - You may not have copies of your records when information in your file might endanger yourself or someone else.
- Ask that incorrect or incomplete information be removed or changed in your health records:
 - In most cases, your health records should be updated within 60 days.
- Receive a notice that tells you how your health information may be used and shared.
- Decide if you want to give your permission before your health information can be used or shared for certain purposes, such as for marketing.
- Get a report on when and why your health information was shared for certain purposes:
 - You can get this report for free once a year. In most cases you should get the report within 60 days, but it can take an extra 30 days if you are given a reason.
- Ask to be contacted at different places, or in a different way, such as at your office or by mail.
- Ask that your information not be shared with certain people, groups or companies. However, your provider or health insurer does not have to agree to do what you ask.
- File complaints if you believe your information was used or shared in a way that is not allowed by law, or you were not allowed to exercise your rights:
 - Complaints can be filed with your provider or health insurer, or from the U.S. Government (Office of Civil Rights of the U.S. Department of Health and Human Services).

Your health information cannot be used or shared without your written permission unless this law allows it. For example, without your permission, your provider generally cannot:

- Give your information to your employer.
- Use or share your information for marketing or advertising purposes.
- Share private notes about your mental health counseling sessions.

To make sure that your information is protected in a way that does not interfere with your health care; your information can be used and shared:

- For your treatment and care coordination.
- To pay doctors and hospitals for your health care and to help run their businesses.
- With your family, relatives, friends, or others you identify who are involved with your health care or your health care bills, unless you object.
- To make sure other health providers give you safe and effective health care.
- To protect the public's health, such as by reporting when the flu is in your area.
- To make required reports to the police, such as reporting gunshot wounds.
- **If Sheila Bryan, LICSW, suspects, or is told by a client, that she/he is neglecting and/or abusing a child or vulnerable adult, a report must be made by Sheila Bryan, LICSW, to DCYF for children and BEAS for vulnerable adults, or the local police. Under state and federal laws, this report must be filed with the appropriate authorities within 24 hours. The client will be informed that a report is being made, and will be given an explanation as to why the report is being made. The only time the client will not be informed of this report is if in sharing this report with the client may further endanger the health and welfare of the child(ren) and/or vulnerable adult(s).**

For more information about HIPAA or to file a complaint, please contact the following agencies:

- Centers for Medicare & Medicaid Services: 877-267-2323 or email @ <http://www.cms.hhs.gov/hipaa>
- You may file a complaint with the federal government by contacting the Secretary of the Department of Health and Human Services at 200 Independence Ave., SW, Washington, DC 20201.
- You may also file a complaint addressed to the HIPAA Privacy Officer, NHDHHS, 129 Pleasant Street, Concord, NH 03301, call (603) 271-9225 or (800) 852-3345 ext. 9225, or at their website at www.dhhs.state.nh.us/dhhs/ops. Your complaint must be in writing. **You will not be penalized or retaliated against for filing a complaint.**