



FATHER FLANAGAN'S BOYS' HOME

NOTICE OF PRIVACY PRACTICES

EFFECTIVE DATE: December 1, 2013

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.

OUR PLEDGE REGARDING YOUR INFORMATION:

At Father Flanagan's Boys' Home we are committed to protecting the personal information we obtain about you while providing services through our continuum of child and family services. We are required by law to follow the privacy practices described in this Notice. We may change our privacy practices at any time. Such revised privacy practices will be set forth in a revised Notice and will be effective for all service information that we maintain at that time. A current copy of our Notice of Privacy Practices will be posted in a visible location at all times in our Youth Care Building, 13603 Flanagan Boulevard, in our National Headquarters Building at 14100 Crawford St. both at Boys Town, NE 68010, and at the headquarters offices of each of Father Flanagan's Boys' Home affiliate corporations. In addition to the places already identified, this Notice will also be posted on the following website: www.boystown.org.

WHO WILL FOLLOW THIS NOTICE: This notice describes the privacy practices of Father Flanagan's Boys' Home, its operating divisions, its affiliate corporations, and their respective health care and youth care professionals, their business associates, and any other person or entity obligated by contract or applicable law to adhere to such privacy policies (hereinafter collectively referred

to as "Boys Town"). Each of the foregoing individuals and entities may use, share, and/or disclose medical, service, and other personal information with each other for the treatment, payment, or health care operations purposes described herein.

UNDERSTANDING YOUR RECORD /INFORMATION:

When you begin services with Boys Town, a record is created. This record may include personal information about you, your physical, mental and behavioral health, treatment and diagnosis, and other information related to services rendered by Boys Town (such information is collectively referred to herein as "Your Information"). Your Information may be in the form of a medical record, a client record, a combination of these or another type of written service record. Your Information may be protected by certain state and federal laws and regulations. For instance, The Health Insurance Portability and Accountability Act (HIPAA), regulates Boys Town's use of protected health information. "Protected health information" is Your Information, including demographic information, that may identify you and that relates to your past, present or future physical or mental health or condition and related health care services and is maintained by a covered entity or the business associate of a covered entity. Boys Town uses Your Information to plan your care, to provide treatment to you, and to provide other medical and non-medical services to you. Your Information is also used as a communication tool by the many providers at Boys Town and by insurance companies (when applicable) to verify that services we billed for were actually provided. Although owned by Boys Town, you do have certain rights with regard to Your Information. This notice will tell you about the ways in which we may use and disclose Your Information to others. It also describes your rights and certain obligations we have regarding the use and disclosure of Your Information.

BOYS TOWN'S DUTIES: Boys Town is required by law to maintain the privacy of your protected health information, to provide you this notice of Boys Town's legal duties and privacy practices with respect to protected health information, and to notify affected individuals following a breach of unsecured protected health information. Boys Town is also required to abide by the terms of this Notice currently in effect.

HOW WE MAY USE AND DISCLOSE SERVICE INFORMATION ABOUT YOU:

The following categories describe different ways we use and disclose Your Information without your authorization. For each category of uses and disclosures, we will explain what we mean and give some examples. Not every use or disclosure in a category will be listed. Many of the ways we are permitted to use and disclose information will fall within one of the identified categories.

•**For Treatment:** Your Information obtained by Boys Town will be recorded in your client record and used to determine the course of your treatment and other services. We will use or disclose Your Information to provide, coordinate, and manage your health and youth care and related services. For example, Boys Town team members will communicate with one another personally and through your service record to coordinate your care. We may disclose Your Information to another entity, such as a legal guardian or placing agency, or another youth care provider or health care provider who becomes involved in your care.

•**For Payment:** We may use and disclose Your Information so that the treatment and services you receive may be billed to and payment may be collected from you, an insurance company, or a third party. For example, we may tell your health plan about a treatment you are going to receive to obtain approval or to determine whether your health plan will cover the treatment. We may also

disclose Your Information to another service provider for its payment purposes.

• **For Health Care Operations:** We may use and disclose Your Information for Boys Town’s health care operations. These uses and disclosures are necessary to operate the entity and promote quality care. We may combine information about many service recipients to decide what additional services we should offer, what services are not needed, and whether certain new treatments and services are effective. We may disclose Your Information to doctors, nurses, technicians, medical students and other personnel. We may also disclose Your Information to entities outside of Boys Town for certain health care operations of the other entity so long as both entities have a relationship with you. We may also combine Your Information with information from other health care providers to compare how we are doing and see where we can make improvements in care and services. We use best efforts to remove information that identifies you from this set of information.

• **For Youth Care Operations:** We may use and disclose, as needed, Your Information in order to support the business activities of Boys Town. These activities include, but are not limited to, quality assessment and improvement activities, employee review activities, training of students (interns), licensing, marketing, and fundraising, and conducting or arranging for other business activities. We may disclose Your Information to entities outside of Boys Town for certain youth care operations of the other entity so long as both entities have a relationship with you. We may also combine Your Information with information from other youth care providers to compare how we are doing and see where we can make improvements in care and services. We may remove information that identifies you from this set of information so that others may use it to study youth care and youth care delivery without learning service recipient specifics.

• **Fundraising Activities:** We may use Your Information as part of a fundraising effort. We may also disclose Your Information to our related foundations, which may in turn contact you in raising money for Boys Town operations. Typically we will only release demographic information, such as your name, address and phone number, the dates you received services. However, no protected health information will be used for fundraising activities without your prior written consent. If you do not want to be contacted for any fundraising efforts, you must notify in writing either the Chief Compliance Officer for Youth Care or the Boys Town National Research Hospital Privacy Officer, depending on which division is conducting the fundraising efforts.

• **Notification/Communication of Your Condition:** We may use or disclose Your Information to notify or assist in notifying a family member, personal representative, or another person responsible for your care, your location, and general condition. We will only release this information if you agree, are given the opportunity to object and do not, or if in our professional judgment, it would be in your best interest to allow the person to receive the information or act on your behalf. Unless state or federal law otherwise restricts us, or unless you instruct us not to, we may release your location within Boys Town’s facilities and general condition to people who ask for you by name. In addition, we may release your name, location, general condition and religious affiliation to members of the clergy.

• **Research:** We may disclose Your Information to researchers employed by us or other business associates when their research has been approved by a privacy board or an institutional review board that has reviewed the research proposal and established protocols to protect the privacy of Your Information. In addition, we may disclose your non-protected health information to researchers in preparation of research.

• **As Required by Law:** We may use or disclose Your Information when required to do so by federal, state or local law.

• **Organ and Tissue Donation:** Consistent with applicable law, we may disclose Your Information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs for the purpose of tissue donation and transplant.

• **Workers’ Compensation:** We may release Your Information for workers’ compensation or similar programs that provide benefits for work-related injuries or illness.

• **Public Health Activities:** We may disclose your service information to a public health authority that is permitted by law to collect or receive the information. This includes reporting child abuse, domestic violence or neglect, FDA regulated products or activities, and exposure to communicable diseases. We may be required to report information to help prevent or control disease, injury, or disability. We may also disclose information, if directed by the public health authority, to a foreign government agency that collaborates with the public health authority.

• **Military Activity and National Security:** We may use or disclose the service information of individuals who are Armed Forces personnel (1) for activities deemed necessary by appropriate military command authorities, (2) for the purpose of a determination by the Department of Veterans Affairs of your eligibility for benefits, or (3) to foreign military authority if you are a member of that foreign military service. We may also disclose your service information to authorized federal officials for conducting national security and intelligence activities, including providing protective services to the President of the United States or others.

• **Law Enforcement:** Under certain circumstances, we may disclose Your Information to law enforcement officials, with some examples being:

- reporting actual or threatened mental harm or physical injuries;
- in response to a court order, subpoena, warrant, summons or similar process;
- to identify or locate a suspect, fugitive, material witness or missing person;
- inquires as to the victim of a crime if, under certain limited circumstances, we are unable to obtain the person's agreement;
- to alert authorities of a death we believe may be the result of criminal conduct;
- information we believe is evidence of criminal conduct occurring on our premises;
- if we believe in good faith that a disclosure of your service information is necessary to prevent or minimize a serious threat to you or the public's health or safety;
- in emergency circumstances to report a crime, the location of the crime or victims, or the identity, description or location of the person who committed the crime; and
- we may release Your Information to correctional institutions or law enforcement officials if you are an inmate of a correctional institution or under the custody of a law enforcement official.
- **Coroners, Medical Examiners and Funeral Directors:** We may provide Your Information to a coroner or medical examiner. For example, such disclosure may be necessary to identify a person who has died or to determine the cause of death. We may also provide Your Information to funeral directors who need to carry out their duties.
- **Judicial and Administrative Proceedings:** If you are involved in a lawsuit or a dispute, we may be required to disclose service information about you in response to a court or administrative order. We may also be required to disclose service information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if reasonable efforts have been made to tell you about the request or to obtain an order protecting the information requested.

● **Public Health and Health Oversight Agencies:**

We may disclose Your Information to health oversight agencies, public health authorities, or other government agencies that monitor the health care system, related government programs, and compliance with applicable civil rights laws.

● **Health Information Exchange:**

We may participate in one or more electronic health information exchanges which permit us to exchange Your Information with other participating providers, health plans, and their business associates. For example, we may permit a health plan that insures you to electronically access Your Information to verify a claim for payment of services rendered by us. Or, we may permit a physician providing care to you to electronically access Your Information in order to have up to date information with which to treat you. Participation in a health information exchange also lets us access medical information electronically from other participating providers and health plans for our treatment, payment, and youth-and health-care care operations purposes as described in this Notice. We may in the future allow other parties, for example, public health departments that participate in the health information exchange, to access Your Information electronically for their permitted purposes.

OTHER USES AND DISCLOSURES:

Other uses and disclosures of Your Information not covered by this notice or the laws that apply to us may require your specific written authorization. If you provide us authorization to use or disclose Your Information, you may revoke that authorization, in writing, at any time. If you revoke your authorization, we will no longer use or disclose Your Information for the reasons covered by your written authorization, except where permitted by law. You understand that we are unable to take back any uses or disclosures we have already made in reliance on your authorization and that we are required to retain records of care provided.

YOUR RIGHTS REGARDING YOUR INFORMATION: You have the following rights regarding Your Information:

● **Right to Notification in the Case of Breach:**

We are required by law to notify you of a breach of your unsecured protected health information. We will provide such notification to you without unreasonable delay, but in no case later than 60 days after we discover the breach.

● **Right to Inspect and Copy:**

You have the right to inspect and copy Your Information that may be used to make decisions about your care. Usually this includes service and billing records. This does not include psychotherapy records. You must submit your request to inspect and copy Your Information in writing to either the Chief Compliance Officer for Youth Care or the Boys Town National Research Hospital Medical Records Director, depending on which division provided services. Our office may charge you a reasonable fee for copying, mailing, labor and supplies associated with your request. If we maintain Your Information electronically in one or more designated record sets and if you ask for an electronic copy, we will provide the information to you in the form and format you request, if it is readily producible. If we cannot readily produce the record in the form and format you request, we will produce it in another readable electronic form we both agree to. In addition to the costs described above, we may charge a cost-based fee for our staff to make the electronic copy. If you direct us to transmit Your Information to another person, we will do so, provided your signed, written direction clearly designates the recipient and location for delivery. All requests are subject to reasonable notice and reasonable time to produce the requested information. In addition, we may deny your request to inspect and copy Your Information in certain circumstances. If you are denied access to Your Information, you may request that the denial be reviewed. We will provide you, in writing, with our

reasons for the denial of access and with instructions for having a denial of access reviewed.

• **Right to Amend:** You may request an amendment of Your Information that we maintain. Such a request must be in writing and provided to our BTNRH Privacy Officer. A request for an amendment of medical information must be in writing and provided to the BTNRH Medical Records Director. In addition, you must provide a reason that supports your request for an amendment. If we deny your request for an amendment, you have the right to file a statement of disagreement that will become part of your service information. If you file a statement of disagreement, we reserve the right to respond to your statement. You will receive a copy of any response we make and any such response will become part of your service information.

• **Right to an Accounting of Disclosures:** You have the right to request an accounting of disclosures, which is a list of certain disclosures of Your Information. Your right to an accounting does not include disclosures for treatment, payment and youth and healthcare operations and certain other types of disclosures, for example, as part of a facility directory or disclosures made with your written authorization. To request an accounting of disclosures, you must submit a request in writing to the Privacy Officer. To request an accounting of medical disclosures, you must submit a request in writing to the BTNRH Medical Records Director. Your request must state a time period that is not longer than six years and may not include dates before April 14, 2003. Your request should indicate in what form you want the list (for example, on paper, electronically). The first list of disclosures you request within a 12-month period will be free. We may charge for the costs of providing additional lists. We will notify you of the cost involved and you may choose to withdraw or modify your request before any costs are incurred.

• **Right to Request Restrictions:** You have the right to request a restriction or limitation on Your Information that we may use or disclose for treatment, payment or youth or healthcare operations. You also have the right to request a limit on Your Information we disclose to someone who is involved in your care or the payment for care, like a family member or friend. Except as described below, we are not required to agree to your request. If we do agree to the requested restriction, we may not use or disclose Your Information in violation of that restriction unless there is an emergency. We are required to agree to your request that we not disclose certain protected health information to your health plan for payment or health care operations purposes, if you pay out-of-pocket in full for all expenses related to that service prior to your request, and the disclosure is not otherwise required by law. Such a restriction will only apply to records that relate solely to the service for which you have paid in full. If we later receive an authorization from you dated after the date of your requested restriction which authorizes us to disclose all of Your Information to your health plan, we will assume you have withdrawn your request for restriction. To request restrictions, you must make your request to the Chief Compliance Officer for Youth Care or the BTNRH Privacy Officer depending on which division provided services. In your request, you must tell us (1) what information you want to limit; (2) whether you want to limit our use, disclosure or both; and (3) to whom you want the limits to apply.

• **Right to Request Confidential Communications:** You have the right to request that we communicate with you about Your Information in a certain way or at a certain location. Your request must be in writing, addressed to our Privacy Officer and must specify how or where you wish to be contacted. We will not ask you for the reason for your

request. We will accommodate reasonable requests.

• **Right to a Paper Copy of this Notice:** You have the right to request a paper copy of this Notice. To obtain a paper copy of this Notice, contact the Chief Compliance Officer for Youth Care. You may obtain an electronic copy of this notice at www.boystown.org.

• **Our Responses to Your Requests:** We will respond to your requests to exercise any of the above rights on a timely basis in accordance with our policies and as required by law.

CHANGES TO THIS NOTICE: We reserve the right to or may be required by law to change our privacy practices, which may result in changes to this Notice. We further reserve the right to make the revised or changed Notice effective for service information we already have about you as well as any information we receive in the future. The Notice will contain the version number and effective date.

COMPLAINTS: If you believe your privacy rights have been violated, you may file a complaint with the Chief Compliance Officer of Youth Care or with the Secretary of the Department of Health and Human Services. ***You will not be penalized or otherwise retaliated against for filing a complaint.***

CONTACT: If you have any questions or would like additional information about this notice or our Privacy Practices, please contact our Chief Compliance Officer for Youth Care at the address set forth below:

Boys Town
Attention: Chief Compliance Officer
for Youth Care
13603 Flanagan Boulevard
Boys Town, NE 68010
Phone: 402-498-1935
Facsimile: 402-498-3378
E-mail:

ChiefComplianceOfficerYouthCare@boystown.org