

**HAMILTON CENTER, INC.
OPERATIONS MANUAL**

| | | | |
|----------|--|--------------------|-----------------|
| Section: | CONFIDENTIALITY | Policy No.: | OP.9.5.01.00.00 |
| | | Page | 1 of 2 |
| Policy: | RELEASE OF INFORMATION FROM CONSUMER RECORDS WHEN AUTHORIZATION IS REQUIRED | Date Originated: | 01/88 |
| | | Last R/R Date: | 05/18 |
| | | BOD Approval Date: | 08/12 |
| | | Posted: | 10/18 |

PURPOSE

To provide the framework which Hamilton Center, Inc. (HCI) will utilize to ensure compliance with the Health Insurance Portability and Accountability Act of 1996 and other federal and state laws related to the privacy and security of health information regarding appropriate uses and disclosures of protected health information (PHI).

POLICY

All client records are the property of HCI. As such, HCI is responsible for the safe keeping of records and is entitled to retain possession of records. The recipient is the owner of the information contained in the record and therefore has the right to authorize the release of information or to refuse such release when authorization is required. It is the organization's duty and responsibility to protect and preserve the confidentiality of the information contained in the record.

POLICY COMPONENTS

- A. The consumer may request to disclose protected health information from the HCI medical record to another party by completing an HCI approved authorization form. Except as otherwise permitted by HCI policy, state or federal law, HCI will not use or disclose PHI without an authorization signed by the client on HCI's approved authorization form.
- B. The HCI Authorization for Use or Release of Health Information must contain the following:
 1. The name or other specific identification of the person(s) authorized to request the use and/or disclosure of information;
 2. The name or other specific identification of the person(s) or entity to which the information will be used or disclosed.
 3. The purpose of the requested use or disclosure of information.
 4. A description of the information to be used or disclosed that identifies the information in a specific and meaningful fashion;
 5. Date range of the information requested;

6. Authorizations for disclosure of Mental Health Records as described in I.C. 16-39-2-5, shall not be effective for more than one hundred eighty (180) days from the date the authorization is executed **or** the date, event or condition on which the consent to release the mental health records will expire if not previously revoked;

7. A statement of the client's right to revoke the authorization, exceptions to the right to revoke, together with a description of how the client may revoke the authorization;

The consent to release Mental Health Records may be revoked any time in writing by the individual authorizing such consent. Alcohol and Drug Abuse patients may revoke authorization to release and/or exchange information verbally or in writing as allowed by 42 CFR Part 2. HCI will seek to obtain written evidence of revocation for alcohol and drug abuse records whenever possible. HCI will honor a revocation with the exception of the information previously released to an individual or organization as authorized by the original authorization.

8. A statement that information used or disclosed pursuant to the authorization may be subject to re-disclosure by the recipient of the information and is no longer protected by this rule; however.

9. If the record contains drug or alcohol information then Federal Confidentiality rules (42 CFR 2) prohibits any further disclosure of information unless expressly permitted by the written consent of the patient or as otherwise permitted under 42 CFR;

10. A statement regarding whether or not HCI will restrict treatment based on completion/non completion of this consent; and

11. Signature of the client and date;

12. Signature of a witness and date; if applicable.

13. If the authorization is signed by a personal representative of the client, a description of such personal representative's authority to act for the client;

C. Any HCI program operating under the auspices of the Family Educational Rights and Privacy Act (FERPA) will also comply with this federal law.