

## PRIVACY PRACTICES OF THE CENTER FOR CREATIVE GROWTH

**Please note: We are now required by Federal Law to provide you with these Privacy Practices. Much of this wording is required by Federal Law.**

**I. 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.**

### **II. WE HAVE A LEGAL DUTY TO SAFEGUARD YOUR PROTECTED HEALTH INFORMATION.**

We are legally required to protect the privacy of your Protected Health Information, which includes information that can be used to identify you that we've created or received about your past, present, or future health or condition, the provision of health care to you, or the payment of this health care. We must provide you with this Notice about our privacy practices, and such Notice must explain how, when, and why we will "use" and "disclose" your Protected Health Information. A "use" of Protected Health Information occurs when we share, examine, utilize, apply, or analyze such information within our practice; Protected Health Information is "disclosed" when it is released, transferred, has been given to, or is otherwise divulged to a third party outside of our practice. With some exceptions, we may not use or disclose any more of your Protected Health Information than is necessary to accomplish the purpose for which the use or disclosure is made. And, we are legally required to follow the privacy practices described in this Notice.

However, we reserve the right to change the terms of this Notice and our privacy policies at any time. Any changes will apply to Protected Health Information on file with us already. Before we make any important changes to our policies, we will promptly change this Notice and post a new copy of it in our office and on our website (if applicable). You can also request a copy of this Notice from us, or you can view a copy of it in our office or at our website, which is located at [www.creativegrowth.com](http://www.creativegrowth.com).

### **III. HOW WE MAY USE AND DISCLOSE YOUR PROTECTED HEALTH INFORMATION.**

We will use and disclose your Protected Health Information for many different reasons. For some of these uses or disclosures, we will need your prior authorization; for others, however, we do not. Listed below are the different categories of our uses and disclosures along with some examples of each category.

**A. Uses and Disclosures Relating to Treatment, Payment, or Health Care Operations Do Not Require Your Prior Written Consent.** We can use and disclose your Protected Health Information without your consent for the following reasons:

1. **For treatment.** We can disclose your Protected Health Information to physicians, psychiatrists, psychologists, and other licensed health care providers who provide you with health care services or are involved in your care. For example, if you're being treated by a psychiatrist, we can disclose your Protected Health Information to your psychiatrist in order to coordinate your care.
2. **To obtain payment for treatment.** We can use and disclose your Protected Health Information to bill and collect payment for the treatment and services provided by us to you. For example, we might send your Protected Health Information to your insurance company or health plan to get paid for the health care services that we have provided to you. We may also provide your Protected Health Information to our business associates, such as billing companies, claims processing companies, and others that process our health care claims.
3. **For health care operations.** We can disclose your Protected Health Information to operate my practice. For example, we might use your Protected Health Information to evaluate the quality of health care services that you received or to evaluate the performance of the health care professionals who provided such services to you. We may also provide your Protected Health Information to our accountants, attorneys, consultants, and others to make sure we are complying with applicable laws.
4. **Other disclosures.** We may also disclose your Protected Health Information to others without your consent in certain situations. For example, your consent isn't required if you need emergency treatment, as long as we try to get your consent after treatment is rendered, or if we try to get your consent but you are unable to communicate with us (for example, if you are

unconscious or in severe pain) and we think that you would consent to such treatment if you were able to do so.

**B. Certain Uses and Disclosures Do Not Require Your Consent.** We can use and disclose your Protected Health Information without your consent or authorization for the following reasons:

1. **When disclosure is required by federal, state or local law; judicial or administrative proceedings; or, law enforcement.** For example, we may make a disclosure to applicable officials when a law requires us to report information to government agencies and law enforcement personnel about victims of abuse or neglect; or when ordered in a judicial or administrative proceeding.
2. **For public health activities.** For example, we may have to report information about you to the county coroner.
3. **For health oversight activities.** For example, we may have to provide information to assist the government when it conducts an investigation or inspection of a health care provider or organization.
4. **For research purposes.** In certain circumstances, we may provide Protected Health Information in order to conduct medical research.
5. **To avoid harm.** In order to avoid a serious threat to the Protected Health Information to law enforcement personnel or persons able to prevent or lessen such harm.
6. **For specific government functions.** We may disclose Protected Health Information of military personnel and veterans in certain situations. And we may disclose Protected Health Information for national security purposes, such as protecting the President of the United States or conducting intelligence operations.
7. **For workers' compensation purposes.** We may provide Protected Health Information in order to comply with workers' compensation laws.
8. **Appointment reminders and health related benefits or services.** We may use Protected Health Information to provide appointment reminders or give you information about treatment alternatives, or other health care services or benefits we offer.

**C. Certain Uses and Disclosures Require You to Have the Opportunity to Object.**

1. **Disclosures to family, friends, or others.** We may provide your Protected Health Information to a family member, friend, or other person that you indicate is involved in your care or the payment for your health care, unless you object in whole or in part. The opportunity to consent may be obtained retroactively in emergency situations.

**D. Other Uses and Disclosures Require Your Prior Written Authorization.** In any other situation not described in sections III A, B, and C above, we will ask for your written authorization before using or disclosing any of your Protected Health Information. If you choose to sign an authorization to disclose your Protected Health Information, you can later revoke such authorization in writing to stop any future uses and disclosures (to the extent that we haven't taken any action in reliance on such authorization) of your Protected Health Information by us.

#### **IV. WHAT RIGHTS YOU HAVE REGARDING YOUR PROTECTED HEALTH INFORMATION**

You have the following rights with respect to your Protected Health Information:

**A. The Right to Request Limits on Uses and Disclosures of Your Protected Health Information.**

You have the right to ask that we limit how we use and disclose your Protected Health Information. We will consider your request, but we are not legally required to accept it. If we accept your request, we will put any limits in writing and abide by them except in emergency situations. You may not limit the uses and disclosures that we are legally required or allowed to make.

**B. The Right to Choose How We Send Protected Health Information to You.** You have the right to ask that we send information to you to at an alternate address (for example, sending information to your work address rather than your home address) or by alternate means (for example, e-mail instead of

regular mail). We must agree to your request so long as we can easily provide the Protected Health Information to you in the format you requested.

**C. The Right to See and Get Copies of Your Protected Health Information.** In most cases, you have the right to look at or get copies of your Protected Health Information that we have, but you must make the request in writing. If we don't have your Protected Health Information but we know who does, we will tell you how to get it. We will respond to you within 30 days of receiving your written request. In certain situations, we may deny your request. If we do, we will tell you, in writing, our reasons for the denial and explain your right to have our denial reviewed. If you request copies of your Protected Health Information, we will charge you not more than \$.25 for each page. Instead of providing the Protected Health Information you requested, we may provide you with a summary or explanation of the Protected Health Information as long as you agree to that and to the cost in advance.

**D. The Right to Get a List of the Disclosures We Have Made.**

You have the right to get a list of instances in which we have disclosed your Protected Health Information. The list will not include uses or disclosures that you have already consented to, such as those made for treatment, payment, or health care operations, directly to you, or to your family. The list also won't include uses and disclosures made for national security purposes, to corrections or law enforcement personnel, or disclosures made before April 15, 2003.

We will respond to your request for an accounting of disclosures within 60 days of receiving your request. The list we will give you will include disclosures made in the last six years unless you request a shorter time. The list will include the date of the disclosure, to whom Protected Health Information was disclosed (including their address, if known), a description of the information disclosed, and the reason for the disclosure. We will provide the list to you at no charge, but if you make more than one request in the same year, we will charge you a reasonable cost based fee for each additional request.

**E. The Right to Correct or Update Your Protected Health Information.** If you believe that there is a mistake in your Protected Health Information or that a piece of important information is missing, you have the right to request that we correct the existing information or add the missing information. You must provide the request and your reason for the request in writing. We will respond within 60 days of receiving your request to correct or update your Protected Health Information. We may deny your request in writing if the Protected Health Information is (i) correct and complete, (ii) not created by us, (iii) not allowed to be disclosed, or (iv) not part of our records. Our written denial will state the reasons for the denial and explain your right to file a written statement of disagreement with the denial. If you don't file one, you have the right to request that your request and our denial be attached to all future disclosures of your Protected Health Information. If we approve your request, we will make the change to your Protected Health Information, tell you that we have done it, and tell others that need to know about the change to your Protected Health Information.

**F. The Right to Get This Notice by E-Mail.** You have the right to get a copy of this notice by e-mail. Even if you have agreed to receive notice via e-mail, you also have the right to request a paper copy of it.

**V. HOW TO COMPLAIN ABOUT OUR PRIVACY PRACTICES**

If you think that we may have violated your privacy rights, or you disagree with a decision we made about access to your Protected Health Information, you may file a complaint with the person listed in Section VI below. You also may send a written complaint to the Secretary of the Department of Health and Human Services at 200 Independence Avenue S.W., Washington, D.C. 20201. We will take no retaliatory action against you if you file a complaint about our privacy practices.

**VI. PERSON TO CONTACT FOR INFORMATION ABOUT THIS NOTICE OR TO COMPLAIN ABOUT OUR PRIVACY PRACTICES**

If you have any questions about this notice or any complaints about our privacy practices, or would like to know how to file a complaint with the Secretary of the Department of Health and Human Services, please contact us at:

Center for Creative Growth  
1221 Marin Avenue  
Berkeley, CA 94706  
510/527-2100  
staff@creativegrowth.com

**VII. EFFECTIVE DATE OF THIS NOTICE**

This notice went into effect on April 14, 2003.