Washington State Health Care Authority

Notice of Privacy Practices

October 2015

This notice describes how the Washington State Health Care Authority (HCA, we, or us) uses or discloses medical information about you and how you can get access to this information. ***Please review it carefully.***

You are receiving this notice because HCA is required by law to maintain the privacy of your information and to provide this notice to all Health Care Authority clients. It does not affect your eligibility for services or coverage.

Summary

Your Rights	Your Choices	Our Uses and Disclosures
You have the right to: • Get a copy of your health and claims records. • Correct your health and claims records. • Request confidential communication. • Ask us to limit the information we share. • Get a list (with some exceptions) of those with whom we've shared your information. • Get a copy of this privacy notice. • Choose someone to act for you. • File a complaint if you believe your privacy rights have been violated. ➤ ***Go to page 2*** *for more information.*	**You can tell us your choices about certain health information we use or share. For example, how we:** • Answer coverage questions from your family and friends. • Provide disaster relief. We do not market our services or sell your information. ➤ ***Go to page 3*** *for more information.*	**We may use and share your information for these reasons:** • Help manage the health care treatment you receive. • Run our organization. • Pay for your health services. • Administer your health plan. • Help with public health and safety issues. • Do research. • Comply with the law. • Respond to organ and tissue donation requests and work with a medical examiner or funeral director. • Address workers' compensation, law enforcement, and other government requests. • Respond to lawsuits and legal actions. • Identify quality improvement opportunities. ➤ ***Go to page 3 & 4*** *for more information.*

Your Rights

When it comes to your health information, you have certain rights. This section explains your rights and some of our responsibilities to help you.

Get a copy of your health and claims records

- You can ask, in writing, to see or get a copy of your health and claims records and some other health information we have about you. Ask us how to do this.
- We will provide a copy or a summary of your health and claims records, usually within 30 days of your request. We may charge a reasonable, cost-based fee. There are some records we do not need to give you.

Ask us to correct health and claims records

- You can ask us, in writing, to correct your health and claims records if you think they are incorrect or incomplete. This applies to certain records, such as those we use to make decisions about you. Ask us how to do this.
- We may say "no" to your request, but we'll tell you why in writing within 60 days.

Request confidential communications

- You can ask us to contact you in a specific way (for example, home or office phone) or to send mail to a different address.
- We will consider all reasonable requests, and must say "yes" if you tell us you would be in danger if we do not.

Ask us to limit what we use or share

- You can ask us not to use or share certain health information for treatment, payment, or our operations.
- We are not required to agree to your request, and we may say "no" if it would affect your care.

Get a list of those with whom we've shared information

- You can ask for a list (accounting) of the times we've shared your health information for six years prior to the date you ask, who we shared it with, and why.
- We will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures (such as any you asked us to make). We'll provide one accounting a year for free but will charge a reasonable, cost-based fee if you ask for another one within 12 months.

Get a copy of this privacy notice

- You can ask for a paper copy of this notice at any time, even if you have agreed to receive the notice electronically. We will provide you with a paper copy promptly.

Choose someone to act for you

- If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information.
- We will make sure the person has this authority and can act for you before we take any action.

File a complaint if you feel your rights are violated

If you believe your privacy rights have been violated or you have questions:

- Contact HCA's privacy officer by calling 1-844-284-2149 or writing to HCA Privacy Officer, Health Care Authority, P.O. Box 42700, Olympia, WA 98504-2700. OR
- You can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 1-877-696-6775, or visiting **www.hhs.gov/ocr/privacy/hipaa/complaints/.**
- We will not retaliate against you for filing a complaint.

Your Choices

For certain health information, you can tell us your choices about what we share. If you have a clear preference for how we share your information in the situations described below, talk to us. Tell us what you want us to do, and we will follow your instructions.

In these cases, you have both the right and choice to tell us to:

- Share information with your family, close friends, or others involved in payment for your care.
- Share information in a disaster relief situation.

If you are not able to tell us your preference, for example if you are unconscious, we may go ahead and share your information if we believe it is in your best interest. We may also share your information when needed to lessen a serious and imminent threat to health or safety.

Our Uses and Disclosures

How do we typically use or share your health information? We typically use or share your health information in the following ways.

Help manage the health care treatment you receive

- We can use your health information and share it with professionals who are treating you.

  Example: *A doctor sends us information about your diagnosis and treatment plan so we can arrange additional services. Or we send information to Children's Administration, if you are a child in foster care.*

Run our organization

- We can use and disclose your information to run our organization and contact you when necessary.
- We are not allowed to use genetic information to decide whether we will give you coverage and the price of that coverage. This does not apply to long term care plans.

  Example: *We use health information about you to develop better services for you.*

Pay for your health services

- We can use and disclose your health information as we pay for your covered health services.

  Example: *We might share information about you with your doctor to coordinate payment for your surgery.*
- If you ask for an administrative hearing to review a denial, we usually have to disclose information in the hearing process.

How else can we use or share your health information? We are allowed or required to share your information in other ways – usually in ways that contribute to the public good, such as public health and research. We have to meet many conditions in the law before we can share your information for these purposes. For more information, see: **www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html.**

Our Uses and Disclosures

Help with public health and safety issues

- We can share health information about you for certain situations such as:
- Preventing disease.
- Helping with product recalls.
- Reporting adverse reactions to medications.
- Reporting suspected abuse, neglect, or domestic violence.
- Preventing or reducing a serious threat to anyone's health or safety.

Do research

- We can use or share your information for health research.

Comply with the law

- We will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we're complying with federal privacy law.

Respond to organ and tissue donation requests and work with a medical examiner or funeral director

- We can share health information about you with organ procurement organizations.
- We can share health information with a coroner, medical examiner, or funeral director when an individual dies.

Address workers' compensation, law enforcement, and other government requests

- We can use or share health information about you:
  - For workers' compensation claims.
  - For law enforcement purposes or with a law enforcement official.
  - With health oversight agencies for activities authorized by law.
  - For special government functions such as military, national security, and presidential protective services.

Respond to lawsuits and legal actions

- We can share health information about you in response to a court or administrative order, or in response to a subpoena.

Are there specially protected types of information?

Yes, some types of information have greater protection under Washington State or federal laws. The above disclosure practices don't necessarily apply to these types of information, which include confidential HIV-related information that is protected by Washington State laws; alcohol and substance abuse treatment information that is protected under both Washington State and federal laws; and mental health treatment information that is protected.

Our Responsibilities

- We are required by law to maintain the privacy and security of your protected health information.
- We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.
- We must follow the duties and privacy practices described in this notice and give you a copy of it if you ask.
- We will not use or share your information other than as described here unless you tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you change your mind.

For more information see this federal government website:
www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html.

Changes to the terms of this notice

We can change the terms of this notice, and the changes will apply to all information we have about you. We will give you the new notice, or tell you about it and how to get a copy. The revised notice will be available on our web site, and we will email or mail a copy to you on request. This notice is available in several languages; check our website at **www.hca.wa.gov/pages/privacy.aspx.**