

Scioto County Board of Developmental Disabilities  
**Notice of Privacy Practices**

Effective: March 7, 2017

*This notice describes how personal information about you  
may be used and disclosed and how you  
can get access to this information.*

**Please review it carefully.**

**Our Organization**

This notice describes the privacy practices of the Scioto County Board of Developmental Disabilities (the County Board). This notice also describes the privacy practices of persons or entities that have signed a contract with the County Board, are acting as business associates, and have promised to follow the same rules of confidentiality.

The County Board includes: Vern Riffe School, Early Intervention Services, Family Directed Services, the Service and Support Administration Department, the Intake Department, Adult Day Services, the Administration and a number of other services offered by County Board programs in the buildings known as STAR Workshop, Vern Riffe School, The Vocation Station and The Carousel Center. This includes all employees of the various programs and the volunteers in those facilities.

If you want to know about the privacy practices of service providers who are not employed by the County Board and who are not business associates, you should contact them directly.

**Privacy Promise**

The County Board understands that your personal information needs to be kept private. Protecting your personal information is important to us. We follow strict federal and state laws that require us to keep your personal information confidential.

**How We Use Your Personal Information**

When you receive services from the County Board, your personal information may be used for such activities as providing you with services, billing for services, and conducting our normal County Board business, known as health care operations.

If you have chosen a personal representative and have agreed to let your personal representative obtain your personal information, we will provide the information to your personal representative. If you have a guardian, we will provide the information to your guardian.

**Examples of how we use your information include:**

Treatment – We keep records of the care and services provided to you by the County Board. For example, your service and support administrator keeps notes on all contacts made in coordinating and arranging for services. If you go to see a nurse working for the County Board, the nurse will

keep records of any care you receive. County Board staff may share your personal information while helping to develop your service plan.

If County Board staff want to share your personal information with anyone who is NOT employed by the County Board, you must give them written permission first. However, we are permitted to disclose your identity without your permission, if necessary for your treatment, or to obtain payment for services.

Some personal records, including confidential communications with a mental health professional and substance abuse records, may have additional restrictions for use and disclosure under state and federal law.

Payment – We keep records that include payment information and documentation of the services provided to you. It is permissible for us to use your personal information to obtain payment for your services from Medicaid, insurance, or other sources. For example, we may disclose personal information about the services provided to you to confirm your eligibility for Medicaid and to obtain payment from Medicaid. The County Board may use your personal information to determine the amount and type of Medicaid services you need and send this information to the proper state department.

Health Care Operations – We may use personal information to improve the quality of care, train staff, manage costs, conduct required business duties, and make plans to better serve you and other individuals enrolled in County Board services. For example, we may use your personal information to evaluate the quality of treatment and services provided by our staff.

### **Other Services We Provide**

We may also use your personal information to:

- Determine whether you are eligible for services from the County Board
- Recommend to you service alternatives and other possible benefits
- Tell you about other service providers who may be able to help you
- To allow members of the Board of DD to review direct service contracts
- To determine whether the waiting lists are being kept in accordance with Ohio law
- Allow local, state, and federal agencies to monitor your services
- To investigate incidents affecting health and safety, to report these kinds of incidents and to take steps to protect your health and safety
- To allow the County Board to prepare reports required by the Ohio Department of Developmental Disabilities, the Ohio Department of Health and the Ohio Department of Job and Family Services
- Contact you for assistance in passing levies, unless you notify the County Board that you do not wish to be contacted for these purposes
- Contact you for assistance for other fund raising activities, unless you notify the County Board that you do not wish to be contacted for these purposes

### **When you must provide written authorization**

You must sign a written authorization for all of the following:

- Any disclosure not listed as an exception in this Notice

- Most uses and disclosures of psychotherapy notes, which are notes of private conversation between you and your counselor or from a group counseling session
- All uses and disclosures for marketing purposes
- Disclosures that constitute a sale of your Personal Information

### **Sharing your personal information**

There are limited situations when we are permitted, or required, to disclose personal information without your signed authorization. These situations are:

- We may disclose your identity, if necessary, for your treatment or to obtain payment for services
- To protect victims of abuse, neglect or domestic violence
- To reduce or prevent a serious threat to public health and safety
- For health oversight activities such as investigations, audits and inspections
- For lawsuits and similar proceedings
- For public health purposes such as reporting communicable diseases, work-related illnesses or other diseases and injuries permitted by law; reporting births and deaths, and reporting reactions to drugs and problems with medical devices
- When required by law
- When requested by law enforcement as required by law or court order.
- To coroners, medical examiners and funeral directors
- For organ and tissue donation
- For Workers' Compensation or other similar programs if you are injured at work and are covered by Workers' Compensation, or other similar programs
- For specialized government functions such as intelligence and national security

All other uses and disclosures, not described in this notice require your signed authorization. You may revoke your authorization at any time with a written statement.

### **Our Privacy Responsibilities**

The County Board is required by law to:

- Maintain the privacy of your personal information
- Provide this notice that describes the ways we may use and share your personal information
- Follow the terms of the notice currently in effect

**We reserve the right to make changes to this notice at any time and make new privacy practices effective for all information we maintain.**

Current notices will be posted in our facilities and on our website: [www.sciotocountydd.org](http://www.sciotocountydd.org) . You may also request a copy from the County Board's Privacy Officer.

### **Your Individual Rights**

You have the right to:

- Receive notifications of breaches of your unsecured protected health information. You will receive such notifications, if a breach should occur.
- Request restrictions on how we use and share your personal information. We will consider all requests for restrictions carefully, but are not required to agree to any restriction.

- Request that we use a specific telephone number or address to communicate with you
- Look at and have a paper, or electronic, copy of your personal information including service, medical and billing records.\* Fees may apply. Response may take up to 30 days.
- Request corrections or additions to your personal information. You must give the reasons for wanting the change.\*
- Request an accounting of certain disclosures made by us of your personal information or by business associates who are working for us. Your request must state the period of time desired for the accounting. You may ask for an accounting of disclosures made for six years prior to your request. The first accounting is free, but a fee will apply if more than one request is made in a 12 month period.\* Accounting may take up to 60 days.
- Request a paper copy of this notice, even if you agree to receive it electronically.

*\* Requests marked with a (\*) must be made in writing. Contact the County Board Privacy Officer for the correct form.*

### **Contact Us**

If you would like further information about your privacy rights, are concerned that your privacy rights have been violated, or disagree with a decision that we made about access to your personal information, contact:

County Board Privacy Officer  
2619 Gallia Street, Portsmouth OH 45662  
Call: 740-353-0636  
Or email: [sciotocountydd@scdd.k12.oh.us](mailto:sciotocountydd@scdd.k12.oh.us)

We will investigate all complaints and will not retaliate against you for filing a complaint.

You may also file a written complaint with any of the following:

- The Secretary of the U.S. Department of Health and Human Services, 200 Independence Avenue SW, Washington, DC 20201, or call 1-877-696-6775
- The Office for Civil Rights, U.S. Department of Health and Human Services, 200 Independence Avenue SW, Room 509F, HHS Building, Washington DC 20201 or call the OCR hotline – voice at 1-800-368-1019, or email: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)
- Attorney General for the State of Ohio, 30 E. Broad Street, 17<sup>th</sup> Floor, Columbus, OH 43215 or by email: [ohioattorneygeneral.gov/contact](http://ohioattorneygeneral.gov/contact)

**ADDENDUM TO NOTICE OF PRIVACY PRACTICES  
for the Scioto County Board of DD  
March 7, 2017**

The Section of your Notice of Privacy Practices which addresses 'Sharing your Personal Information' without authorization is amended to add the following language:

Disability Rights Ohio (DRO) filed a state-wide class action captioned Ball v. Kasich Case No. 2:16-cv-282 in the U.S. District Court for the Southern District of Ohio. The suit was filed on March 31, 2016 against the Governor, Department of Developmental Disabilities, Department of Medicaid, and Opportunities for Ohioans with Disabilities. The Ohio Association of County Boards Serving People with Developmental Disabilities (OACB) may become a defendant in the lawsuit. The Plaintiffs are represented by DRO and other lawyers from Massachusetts, Illinois, Michigan and Washington D.C.

The action potentially affects all adults with DD. The parties to the lawsuit, through their lawyers, have sought and will continue to seek documentation, including Protected Health Information, on individuals who are or who may be a part of this lawsuit, or who may have information relevant to this lawsuit or who are simply receiving services from DD Boards. The DD Board will comply with requests for information and may provide Protected Health Information on any person served by the DD Board to the lawyers for any of the parties. All information provided in connection with this lawsuit is covered by a protective order issued by the court which complies with HIPAA and other privacy regulations and which ensures that the information about any individual cannot be disclosed outside of the lawsuit without their permission. At the conclusion of the lawsuit, all protected health information which was disclosed or retained by any party in the course of the lawsuit will be destroyed.

For further information about the Ball v. Kasich lawsuit, visit [www.oacbddd.org/ballvkasich](http://www.oacbddd.org/ballvkasich). For more information about the protective order, please contact the Ohio Association of County Boards of DD at [drolegal@oacbddd.org](mailto:drolegal@oacbddd.org).

**NOTES:**

Disability Rights Ohio is a non-profit corporation with a mission to advocate for the human, civil and legal rights of people with disabilities in Ohio. In October of 2012, Disability Rights Ohio replaced Ohio Legal Rights Service as Ohio's Protection and Advocacy (P&A) system and Client Assistance Program (CAP). It is governed by a Board of Directors, primarily consisting of people with disabilities and family members of people with disabilities.

The Ohio Association of County Boards Serving People with Developmental Disabilities (OACB) is a non-profit organization specializing in providing information, continuing education, and legislative liaison to Ohio's 88 County Boards of Developmental Disabilities. OACB is registered as a 501(c)(6) tax-exempt organization. It is governed by a Board of Trustees comprised of members elected from among the 7-member county boards and a number of superintendents representing counties of all sizes. Areas of effort are guided by priorities set in an annual meeting of delegates from all 88 county members.