

# NOTICE OF PRIVACY PRACTICES



## Albuquerque **HEALTH CARE** for the homeless

PO Box 25445  
Albuquerque, NM 87125-0445

**Effective Date: February 1, 2020**

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**THIS NOTICE DESCRIBES HOW HEALTH INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.**

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**If you have any questions about this notice,  
please contact the Privacy Officer (505) 767-1169.**

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### **OUR PLEDGE REGARDING HEALTH INFORMATION**

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We understand that health information about you and your health care is personal. We are committed to protecting health information about you. We create a record of the care and services you receive from us. We need this record to provide you with quality care and to comply with certain legal requirements. This notice applies to all of the records of your health care generated by Albuquerque Health Care for the Homeless, including medical, dental, mental health and substance abuse services. There are certain types of information that are subject to very specific confidentiality laws and Albuquerque Health Care for the Homeless will only disclose in accordance with those laws. This includes mental health records, drug and alcohol records, genetic testing, STD testing information, and HIV/AIDs testing. This notice will tell you about the ways in which we may use and disclose health information about you. We also describe your rights to the health information we keep about you and describe certain obligations we have regarding the use and disclosure of your health information.

We are required by law to: make sure that health information that identifies you is kept private; give you this notice of our legal duties and privacy practices with respect to health information about you; and follow the terms of the notice that is currently in effect.

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### **HOW WE MAY USE AND DISCLOSE HEALTH INFORMATION ABOUT YOU**

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The following categories describe different ways that we use and disclose health information. For each category of uses or disclosures we will explain what we mean and try to give some examples. Not every use or disclosure in a category will be listed. However, all of the ways we are permitted to use and disclose information will fall within one of the categories.

**For Treatment.** We may use health information about you to provide you with health care treatment and services. We may disclose health information about you to doctors, nurses, technicians, dentists, mental health providers, health students, or other personnel who are involved in taking care of you. They may work at our offices, at the hospital if you are hospitalized under our supervision, or at another doctor's office, lab, pharmacy, or other health care provider to whom we may refer you for consultation, to take x-rays, to perform lab tests, to have prescriptions filled, or

for other treatment purposes. For example, a doctor treating you for a broken leg may need to know if you have diabetes because diabetes may slow the healing process. We may also disclose health information about you to an entity assisting in a disaster relief effort so that your family can be notified about your condition, status, and location.

**For Payment.** We may use and disclose health information about you so that the treatment and services you receive from us may be billed to and payment collected from Medicaid, funding sources, or a third-party payor. For example, we may need to give information about your office visit so Medicaid will pay us for the visit. We may also tell Medicaid about a treatment you are going to receive to obtain prior approval or to determine whether Medicaid will cover the treatment.

**For Health Care Operations.** We may use and disclose health information about you for operations of our health care practice. These uses and disclosures are necessary to run our practice and make sure that all of our patients receive quality care. For example, we may use health information to review our treatment and services and to evaluate the performance of our staff in caring for you. We may also combine health information about many patients to decide what additional services we should offer, what services are not needed, whether certain new treatments are effective, or to compare how we are doing with other agencies and to see where we can make improvements. In addition, we may use a sign-in sheet at the registration desk where you will be asked to sign your name. During our registration process, you may be asked for your name, date of birth, social security number and reason for your visit. We may also call you by name in the waiting room when you are ready to be seen. We may disclose limited health information to provide you with appointment reminders such as voicemail messages.

We will share your health information with third party “business associates” that perform various activities for the agency. Whenever an arrangement between our office and a business associate involves the use or disclosure of your health information, we will have a written contract that contains terms that will protect the privacy of your health information.

**As Required by Law.** We will disclose health information about you when required to do so by federal, state, or local law, including situations in which you may be involved in lawsuits, disputes, or law enforcement.

**Research.** Under certain circumstances, we may use and disclose health information about you for research purposes. For example, a research project may involve comparing the health and recovery for all patients who receive one medication to those who received another, for the same condition. All research projects, however, are subject to a special approval process. This process evaluates a proposed research project and its use of health information, trying to balance the research needs with the patient’s need for privacy of their health information. Before we use or disclose health information for research, the project will have been approved through this research approval process. We will always ask for authorization before releasing your health information for research.

**To Avert a Serious Threat to Health or Safety.** We may use and disclose health information about you when necessary to prevent a serious threat to your health and safety; to protect the safety of the Albuquerque Health Care for the Homeless organization, staff, and facilities; or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat.

**Military and Veterans.** If you are a member of the armed forces or separated/discharged from military services, we may release health information about you as required by military command authorities or the Department of Veteran Affairs as may be applicable. We may also release health information about foreign military personnel to the appropriate foreign military authorities.

**Workers’ Compensation.** We may release health information about you for workers’ compensation or similar programs. These programs provide benefits for work-related injuries or illness.

**Public Health Risks.** We may disclose health information about you for public health activities. These activities generally include the following: to prevent or control disease, injury, gunshot wound, or disability; to report births and deaths; to report child or elder abuse or neglect; to report reactions to medications or problems with products; to notify people of recalls of products they may be using; to notify a person or organization required to receive information on FDA-regulated products; to notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition; or to notify the appropriate government authority if we believe a patient has been the victim of abuse, or neglect. We will only make this disclosure if you agree or when required or authorized by law.

**Health Oversight Activities.** We may disclose health information to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.

**Coroners, Health Examiners and Funeral Directors.** We may release health information to a coroner or health examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. We may also release health information about patients to funeral directors as necessary to carry out their duties. In event of your death, we may notify or assist authorities in the notification of a family member and disclose the circumstances surrounding this event.

**Fundraising Activities.** We would never use your health information in an effort to raise money for our organization, however, should you donate we may contact you. You have the right to opt out of receiving these communications. Please contact the Development Officer at (505) 766-5197 or drop off a written request at Albuquerque Health Care for the Homeless at 1217 1<sup>st</sup> Street NW, Albuquerque, NM 87125-0445 if you do not want us to contact you for such fundraising efforts.

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## **YOUR RIGHTS REGARDING HEALTH INFORMATION ABOUT YOU**

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You have the following rights regarding health information we maintain about you:

**Right to Inspect and Copy.** You have the right to inspect and copy health information that may be used to make decisions about your care. Usually, this includes health and billing records. This does not include psychotherapy notes.

To inspect and copy health information that may be used to make decisions about you, you must submit your request in writing to the Health Records Committee. If you request a copy of the information, we may charge a fee for the costs of copying, mailing or other supplies and services associated with your request.

We may deny your request to inspect and copy in certain very limited circumstances. If you are denied access to health information, you may request that the denial be reviewed. Another licensed health care professional chosen by our agency will review your request and the denial. The person conducting the review will not be the person who denied your request. We will comply with the outcome of the review.

**Right to Amend.** If you feel that health information, we have about you is incorrect, or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as we keep the information. To request an amendment, your request must be made in writing, submitted to the Health Records Committee, and must be contained on one page of paper legibly handwritten or typed in at least 10-point font size. In addition, you must provide a reason that supports your request for an amendment.

We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that: was not created by us, unless the person or entity that created the information is no longer available to make the amendment; is not part of the health information kept by or for our practice; is not part of the information which you would be permitted to inspect and copy; or is accurate and complete.

Any amendment we make to your health information will be disclosed to those to whom we disclose information as previously specified.

**Right to an Accounting of Disclosures.** You have a right to request a list accounting for any disclosures of your health information we have made, except for uses and disclosures for treatment, payment, and health care operations, as previously described.

To request this list of disclosures, you must submit your request in writing to the Health Records Committee. Your request must state the time period, which may not be longer than 6 years and may not include dates before April 14, 2003. The first list you request within a 12-month period will be free. For an additional list, we may charge you for the costs of providing the list. We will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred. We will mail you a list of disclosures in paper form within 30 days

of your request or notify you if we are unable to supply the list within that time period and by what date we can supply the list; but this date will not exceed a total of 60 days from the date you made the request.

**Right to Request Restrictions.** You have the right to request a restriction or limitation on the health information we use or disclose about you for treatment, payment, or health care operations. You also have the right to request a limit on the health information we disclose about you to someone who is involved in your care or the payment for your care, such as a family member or friend. For example, you could ask that we restrict a specified nurse from use of your information, or that we not disclose information to your spouse about a surgery you had.

We are not required to agree to your request for restrictions if it is not feasible for us to ensure our compliance or believe it will negatively impact the care that we may provide you. If we do agree, we will comply with your request unless the information is needed to provide you with emergency treatment. To request a restriction, you must make your request in writing to the Health Records Committee. In your request, you must tell us what information you want to limit and to whom you want the limits to apply; for example, use of any information by a specified nurse, or disclosure of specified surgery to your spouse.

**Right to Request Confidential Communications.** You have the right to request that we communicate with you about health matters in a certain way or at a certain location. For example, you can ask that we only contact you at work or by mail to a post office box.

To request confidential communications, you must make your request in writing to the Health Records Committee. We will not ask you the reason for your request. We will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

**Right to a Paper Copy of This Notice.** You have the right to obtain a paper copy of this notice at any time. To obtain a copy, please request it from any staff member.

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### CHANGES TO THIS NOTICE

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We reserve the right to change this notice. We reserve the right to make the revised or changed notice effective for health information we already have about you as well as any information we receive in the future. We will post a copy of the current notice in our facility. The notice will contain on the first page, the effective date. In addition, each time your register for treatment or health care services, we will offer you a copy of the current notice in effect.

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### COMPLAINTS

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If you believe your privacy rights have been violated, you may file a complaint with us or with the Office of Civil Rights. To file a complaint with us, contact the Privacy Officer. All complaints must be submitted in writing. You will not be penalized for filing a complaint.

AHCH Contact: Privacy Officer  
Telephone: 505-767-1169  
Address: PO Box 25445, Albuquerque, NM 87125-0445

US Department of Health and Human Services  
Office of Civil Rights  
(800) 368-1019  
[ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)  
[www.hhs.gov](http://www.hhs.gov)

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### OTHER USES OF HEALTH INFORMATION

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Other uses and disclosures of health information not covered by this notice or the laws that apply to us will be made only with your written permission. If you provide us permission to use or disclose health information about you, you may revoke that permission, in writing, at any time. If you revoke your permission, we will no longer use or disclose health information about you for the reasons covered by your written authorization. You understand that we are unable to take back any disclosures we have already made with your permission, and that we are required to retain records of the care that we provide to you.

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**ACKNOWLEDGEMENT OF RECEIPT OF THIS NOTICE**

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We will request that you sign a separate form or notice acknowledging you have received a copy of this notice. If you choose, or are not able to sign, a staff member will sign their name and date. This acknowledgement will be filed with your records.

**ACKNOWLEDGEMENT OF RECEIPT OF NOTICE OF PRIVACY PRACTICES**

I, \_\_\_\_\_, have received the Notice of Privacy Practices from Albuquerque Health Care for the Homeless.

**X** \_\_\_\_\_ **DATE:** \_\_\_\_\_

In lieu of patient signature, I, \_\_\_\_\_, a staff member or volunteer of Albuquerque Health Care for the Homeless, state that \_\_\_\_\_ has been given a copy of our current Notice of Privacy Practices.

**X** \_\_\_\_\_ **DATE:** \_\_\_\_\_