



## NOTICE OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION.

PLEASE READ IT CAREFULLY

### USES AND DISCLOSURES OF YOUR PROTECTED HEALTH INFORMATION

Protected health information includes demographic, social and behavioral determinants of health (SBDOH), and medical information that concerns the past, present, or future physical or mental health of an individual. Demographic information could include your name, address, telephone number, Social Security number and any other means of identifying you as a specific person. SBDOH may include, but not be limited to, income, food insecurity, socioeconomic status, education level, homeless. Protected health information contains specific information that identifies a person or can be used to identify a person.

Protected health information is health information created or received by a health care provider, health plan, employer, or health care clearinghouse. The Department of Health (Department) can act as each of the above business types. This medical information is used by the Department in many ways while performing normal business activities.

Your protected health information may be used or disclosed by the Department for purposes of treatment, payment, and health care operations. Health care professionals use medical information in the clinics or hospital to take care of you. Your protected health information may be shared, with or without your consent, with another health care provider for purposes of your treatment. The Department may use or disclose your health information for case management and services. The Department clinic or hospital may send the medical information to insurance companies, Medicaid, or community agencies to pay for the services provided to you.

Your information may be used by certain Department personnel to improve the Department's health care operations. The Department also may send you appointment reminders, information about treatment options or other health-related benefits and services.

Some protected health information can be disclosed without your written authorization as allowed by law. Those circumstances include:

- Reporting abuse of children, adults, or disabled persons.
- Investigations related to a missing child.
- Internal investigations and audits by the Department's divisions, bureaus, and offices.
- Investigations and audits by the state's Inspector General and Auditor General, and the Florida Legislature's Office of Program Policy Analysis and Government Accountability.
- Public health purposes, including vital statistics, disease reporting, public health surveillance, investigations, interventions, and regulation of health professionals\*.
- District medical examiner investigations\*.
- Research approved by the Department.
- Court orders, warrants, or subpoenas.\*
- Law enforcement purposes, administrative investigations, and judicial and administrative proceedings\*.

\*A disclosure of reproductive health records by the Department to law enforcement, a judicial or administrative tribunal, medical examiner, or health oversight entity will require an attestation by

the requesting individual or entity before such records are released by the Department. The attestation requires acknowledgment of one of the following provisions:

- The purpose of the use or disclosure of protected health information is not to investigate or impose liability on any person for the mere act of seeking, obtaining, providing, or facilitating reproductive health care or to identify any person for such purposes; or alternatively,
- The purpose of the use or disclosure of protected health information is to investigate or impose liability on any person for the mere act of seeking, obtaining, providing, or facilitating reproductive health care, or to identify any person for such purposes, but the reproductive health care at issue was not lawful under the circumstances in which it was provided.

Other uses and disclosures of your protected health information by the Department will require your written authorization. These uses and disclosures may be for marketing or research purposes, certain uses and disclosure of psychotherapist notes, and the sale of protected health information resulting in compensation to the Department.

This authorization will have an expiration date that can be revoked by you in writing.

### INDIVIDUAL RIGHTS

You have the right to request that the Department restrict the use and disclosure of your protected health information to carry out treatment, payment, or health care operations. You may also limit disclosures to individuals involved with your care. The Department is not required to agree to any restriction.

You have the right to be assured that your information will be kept confidential. The Department will make contact with you in the manner and at the address or phone number you select. You may be asked to put your request in writing. If you are responsible to pay for services, you may provide an address other than your residence where you can receive mail and where the Department may contact you.

You have the right to inspect and receive a copy of your protected health information that is maintained by the Department within 30 days of the Department's receipt of your request to obtain a copy of your protected health information. You must complete the Department's Authorization to Disclose Confidential Information form and submit the request to the local county health department or Children's Medical Services office. If there are delays in the Department's ability to provide the information to you within 30 days, you will be told the reason for the delay and the anticipated date your request can be fulfilled.

Your inspection of the information will be supervised at an appointed time and place. You may be denied access to some records as specified by federal or state law.

If you choose to receive a copy of your protected health information, you have the right to receive the information in the form or format you request. If the Department cannot produce it in that form or format, you will be given the information in a readable hard copy form or another form or format that you and the Department agree to.

The Department cannot give you access to psychotherapy notes or certain information being used in a legal proceeding. Records are maintained for specified periods of time in accordance with the law. If your request covers information beyond that time, the Department is not required to keep the record and the information may no longer be available.