



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 REVIEW IT CAREFULLY.**

This Notice is about how Maine Mobile Health Program (MMHP) can use and share your protected health information (PHI). It also says what rights you have with your PHI. This Notice applies to all PHI that we have about you, whether from visits with our own providers and staff at MMHP or other providers or facilities involved in your health care that give your PHI to us.

The law requires MMHP to keep your PHI private, to give this Notice to you, and to tell you if there is a breach of your PHI. We are required to comply with the Notice that is in effect. But we can change the Notice at any time, and the changes we make will apply to all PHI we have. If we change the Notice, we will give you the new Notice at your next visit. We will also put it on our website.

You have the right to a paper copy of this Notice at your request, even if you agree to get it electronically.

How We Can Use and Share Your PHI

We may use and share your PHI without your permission for purposes of treatment, payment and health care operations. For example:

- **Treatment:** We may use and share your PHI to provide you with medical care or services. We may share your PHI with doctors, nurses, community health workers, or others involved with your care. We also may share your PHI with providers involved in your treatment outside of MMHP in order to coordinate the services you need with primary care providers, specialists, or for medications, lab work and other types of tests.
- **Payment:** We may use and share your PHI to get payment for services we provide to you. We will not share your PHI with third-party payors about

services we provide to you if: (1) you have already paid for the services out-of-pocket and in full, and (2) you request in writing that we not share your PHI with third-party payors for payment purposes.

- **Health Care Operations:** We may use your PHI for quality and improvement work at MMHP for health management, and risk management activities.

MMHP may use and share your PHI without your permission in these other situations:

- **As Required by Law:** We may use and share your PHI as required by federal, state or local laws.
- **Business Associates:** We may share PHI with our vendors that perform services for us. These vendors must agree in writing to protect PHI.
- **Legal and Administrative Proceedings:** We may share your PHI if we are ordered by a court or government agency, or if we get a subpoena. Orders and subpoenas must meet certain requirements.
- **Workers' Compensation:** We may share your PHI for workers' compensation or similar programs established by law in connection with claims for benefits for work-related illness or injuries without regard to who caused the illness or injury.
- **Risk of Imminent Harm to Self or Others:** We may use or share your PHI as needed to counter a direct threat of imminent harm to health or safety.
- **Public Health Activities:** We may use and share your PHI for public health activities that include, but are not limited to, required reports to public health authorities to prevent or control disease, injury or disability; to report births or deaths; to report child abuse and neglect; and to report reactions to medications or safety problems with products.
- **Abuse and Neglect Reporting:** We may share your PHI with an agency allowed by law to receive reports of abuse, neglect and exploitation of children and incapacitated or dependent adults.
- **Health Oversight Activities:** We may use your PHI, and share it with health agencies, to ensure we are following state and federal laws and the rules of government programs such as Medicare and Medicaid. Oversight activities include, but are not limited to, audits, investigations and inspections.
- **Law Enforcement Officials:** We may share your PHI with law enforcement officials when allowed by law.

- **Coroners, Medical Examiners and Funeral Directors:** Consistent with law, we may share your PHI about deceased patients to funeral directors, coroners and medical examiners, to help them carry out their duties.
- **Special Government Functions:** We may share your PHI for special government functions, such as military, veterans, national security, intelligence, and secret service, when the law requires us to share PHI.
- **Disaster Relief:** We may use and share your PHI for disaster relief efforts as long as we give you the ability to agree or object to this use or sharing.
- **Research:** If we follow certain requirements, we may use and disclose PHI for research.
- **Organ Procurement Organizations:** We may use and share information for organ, eye, or tissue donation purposes as allowed by law.

When we must have your permission to use or share your PHI:

- **Written Permission:** Except as outlined above and unless the law allows, we must have your written permission to use or share your PHI.
- **Psychotherapy Notes:** If MMHP keeps psychotherapy notes about you that are kept apart from our other records, we will get your written permission to use or share these notes unless the law does not require written permission.
- **Federal Funding:** We must get your permission to use or share your PHI when the rules for our federal funding require us to get your permission.

You have the right to revoke your permission at any time, to the extent that MMHP or others have not already relied on your permission. You can revoke your permission by telling MMHP's Privacy Officer in writing.

Other Times We Can Use or Share PHI

- We can share your PHI to notify, or help notify, a family member, friend, or someone else involved in your care about your condition or location, if certain requirements are met.
- We can use your PHI to let you know about different health services.

- We can disclose your PHI to a family member, friend, or someone else you name who is involved in your care or paying for your care, if certain requirements are met.

HealthInfoNet

MMHP uses Maine's state-wide health information system called HealthInfoNet. Health care providers that use HealthInfoNet can share PHI with each other when needed to provide treatment or to work with other providers for your care. MMHP does not share PHI with HealthInfoNet. But MMHP can access PHI from other providers about you that do share information with HealthInfoNet.

You have the right to opt-out of having your information shared by HealthInfoNet. To do this, contact HealthInfoNet on its website (www.hinfonyet.org) and complete an opt-out form. If you decide to opt-out, there are risks. Your providers may not have all the needed information about you to give you care. It can also take longer to give you care, because your provider may need to get paper copies of your records. If you choose to opt-out, you can change your mind later by telling HealthInfoNet you want to opt-in. But if you do change your mind, the only information on HealthInfoNet will be the information created after you opted-in.

Special Privacy Protections

Federal and state law has special privacy protections for certain highly-confidential health information about you.

•**Mental Health Information:** If we have information about mental health services provided to you by certain types of behavioral health providers, we will not disclose that information to anyone outside of MMHP for treatment purposes without your written permission, except for emergencies, to a pharmacist to dispense medicine, or to a provider or insurer for care management or care coordination.

•**Substance Use Disorder Program Information:** If we have certain substance use disorder information about you that is protected by a special federal privacy law (42 C.F.R. Part 2), we will not use or share that information except as

allowed by the federal privacy law. If we receive or have substance use disorder information about you that is not from a substance use disorder program covered by the federal privacy law, we will protect that information about you in the same way we protect other PHI.

•**HIV Information:** If we have any information about your HIV status (including HIV test results or medical records containing HIV information), this information is given extra protections under Maine law. We will not use or share that information unless allowed by law.

Your rights about your Protected Health Information

- **Right to inspect and copy:** You have a right to see and get copies of your PHI by filling out our form. In certain cases, your access may be denied. But you can request a review of a decision to deny.
- **Right to edit:** You have the right to ask that we edit, correct, or clarify your PHI. We will include your request in your treatment record, but we can include a response to it. You will get a copy of our response. If you request a change to other parts of your record, we may deny your request. We will give you written reasons for our denial.
- **Right to request record of disclosures:** You may request in writing a record of instances in the last 6 years when your PHI has been shared. This record will not include times we shared PHI with you or at your request, made for treatment, payment, or operations purposes, or other information not required by law.
- **Right to request restrictions:** If you want to request a limit on the sharing of your PHI you can ask MMHP and state what PHI you want to limit and to whom it applies. We are only required to restrict certain sharing to third-party payors for payment or operations if you pay out of pocket.
- **Right to confidential communications:** You may ask us to contact you by different ways or at a different address. We will agree to reasonable requests. But we can condition our agreement. For example, we can ask you for details on how we can contact you or how payment will be handled.

Complaints

If you think MMHP violated your privacy rights, you have the right to file a complaint with MMHP or the U.S. Department of Health and Human Services. You can file a complaint with MMHP by mailing a written complaint to the address below. We will not take action against you for filing a complaint.

If you have any questions about this Notice, our privacy practices, or your rights, please contact:

Privacy Officer
Maine Mobile Health Program, Inc.
P.O. Box 405
Augusta, ME 04332
1-888-351-9634