

# Little Traverse Bay Bands of Odawa Indian Health Services

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## *Notice of Privacy Practices April 7, 2015*



1260 Ajijaak Ave.  
Petoskey, MI 49770  
Phone—231-242-1700

**Workers Compensation:** LTBB Health Department may use or disclose your health information for workers compensation purposes as authorized or required by law.

**Public Health:** LTBB Health Department may use or disclose your health information to public health or other appropriate government as follows: (1) We may use or disclose your health information to government authorities that are authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, or conducting public health surveillance, investigations, and interventions; (2) We may disclose your health information to government authorities that are authorized by law to receive reports of child abuse or neglect; (3) We may disclose your health information to government authorities that are authorized by law to receive reports of other abuse, neglect, or domestic violence as required by law, or as authorized by law if LTBB believes it is necessary to prevent serious harm. Where authorized by law, we may disclose your health information to an individual who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading a disease or condition. In some situations (for example, if you are employed by LTBB Health Department, or if necessary to prevent or lessen a serious and imminent threat to the health and safety of an individual or the public), LTBB may disclose to your employer health information concerning a work-related illness or injury or a workplace-related medical surveillance.

**Correctional Institution:** If you are an inmate of a correctional institution, LTBB may use or disclose to the institution, health information necessary for your health and the health and safety of other individuals such as officers or employee or other inmates.

**Law Enforcement:** LTBB may use or disclose your health information for law enforcement activities as authorized by law or in response to a court of competent jurisdiction.

**Members of the Military:** If you are a member of the military services including the Commissioned Corps of the United States Public Health Service, LTBB may use or disclose your health information if necessary to the appropriate military command authorities as authorized by law.

**Health Oversight Authorities:** LTBB Health Department may use or disclose your health information to health oversight agencies for activities authorized by law. These oversight activities include: investigations, audits, inspections and other actions. These are necessary for the government to monitor the health care system, government benefit programs, and entities subject to government regulatory programs and/or civil rights laws for which health information is necessary to determine compliance. LTBB is required by law to disclose protected health information to the Secretary of HHS to investigate or determine compliance with the HIPAA privacy

**Compelling Circumstances:** LTBB Health Department may use or disclose your health information in certain other situations involving compelling circumstances affecting the health or safety of an individual. For example, in certain circumstances: (1) We may disclose limited protected health information where requested by a law enforcement official for the purpose of identifying or locating a suspect, fugitive, material witness or missing person; (2) If you are believed to be a victim of a crime, a law enforcement official requests information about you and we are unable to obtain your agreement because of incapacity or their emergency circumstances, we may disclose the requested information if we determine that such disclosure would be in your best interests; (3) We may use or disclose protected health information as we believe is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person; (4) We may use or disclose protected health information in the course of judiciary and administrative proceedings if required or authorized by law; (5) We may use or disclose protected health information to report a crime committed on LTBB health facility premises or when LTBB is providing emergency health care; and (6) we may make any other disclosures that are required by law.

**Non Violation of the Notice:** LTBB Health Department is not in violation of this Notice of the HIPAA Privacy Rules if any of its employees or its contractors (business associates) discloses protected health information under the following circumstances:

**Disclosures by Whistleblowers:** If an LTBB Health Department or employee or contractor (business associate) in good faith believes that LTBB has engaged in conduct that is unlawful or otherwise violate clinical and professional standards or that the care of services provided by LTBB has the potential of endangering one or more patients or members of the workplace or the public and discloses such information to:

- A. Public Health Authority or Health Oversight Authority authorized by law to investigate or otherwise oversee the relevant conduct or conditions, or the suspected violation, or an appropriate health care accreditation organization for the purpose of reporting the allegation of failure to meet professional standards to misconduct by LTBB or
- B. An attorney on behalf of the workforce member, or contractor (business associate) or hired by the workforce member or contractor (business associate) for the purpose of determining their legal options regarding the suspected violation.

**Disclosures by Workforce member Crime Victims:**

Under certain circumstance an LTBB health Department workforce member (either an employee or contractor) who is a victim of a crime on or off the premises may disclose information about the suspect to law enforcement official provided that:

- A. The information disclosed is about the suspect who committed the criminal act.
- B. The information disclose is limited to identifying and locating the suspect.

**Any other uses and disclosures will be made only with your written authorization, which you may later revoke in writing at any time. (Such revocation would not apply where the health information already has been disclosed or used or in circumstances where LTBB has taken action in reliance on your authorization or the authorization was obtained as a condition of obtaining insurance coverage and the insurer has a legal right to contest a claim under the policy or the policy itself).**

**To exercise your rights under this Notice, to ask for more information or to report a problem contact the Health Director or the HIPAA Coordinator at:**

LTBB Health Clinic  
1260 Ajijaak Ave.  
Petoskey, MI 49770  
231-242-1700

LTBB Administration Building  
7500 Odawa Circle  
Harbor Springs, MI 49740  
231-242-1400

If you believe your privacy rights have been violated, you may file a written complaint with the above individual(s) or the Secretary of Health and Human Service, U.S. Department of Health and Human Services, Washington D.C. 20201. There will be no retaliation for filing a complaint.

**HIPAA  
Health Insurance  
Portability and Accountability Act**

**Privacy Rule**

## I. Understanding Your Health Record/Information

Each time you visit Little Traverse Bay Bands of Odawa Indians (LTBB) Health Department for services, a record of your visit is made. Typically, this record contains your symptoms, examination, test results, diagnoses, treatment and a plan for future care. This information, often referred to as your health record, serves as a:

- \* Plan for your care and treatment
- \* Tool with which we can check results and continually work to improve the care we provide
- \* Means by which Medicare, Medicaid or private insurance payers can verify the services billed
- \* Tool for education of health care professionals
- \* Source of information for public health authorities charged with improving the health of the people
- \* Source of data for medical research, facility planning and marketing
- \* Legal document that describes the care you receive

### Understanding what is in your record and how the information is used helps you to:

- \* Ensure its accuracy
- \* Better understand why others may review your health information
- \* Make an informed decision when authorizing disclosures

## II. Your Health Information Rights

Although your health record is the physical property of the LTBB Health Department, the information belongs to you.

- \* **Inspect and receive a copy of your health record**
- \* **Request a restriction** on certain uses and disclosures of your health information. For example, you may ask that we not disclose your information and/or treatment to a family member. LTBB Health Department is not required to agree with your request; although we will make every effort to comply with your request unless the information is needed to provide you with emergency services.
- \* **Request a correction/amendment to your health record** if you believe the health information we have about you is incorrect or incomplete, we may amend your record to include your statement of disagreement.
- \* **Request confidential communications about your health information.** You may ask that we communicate with you at a location other than your home or by a different means of communication such as telephone or mail.
- \* **Receive a listing of certain disclosures of LTBB Health Department has made of** your health information upon request. This information is maintained for six years or the life of the record, whichever is longer.
- \* **Revoke your written authorization to use or disclose health information.** This does not apply to health information already disclosed, used or in circumstances where we have taken action on your authorization or the authorization was obtained as a condition of obtaining insurance coverage and the insurer has legal right to contest a claim under the policy or policy itself.
- \* **Obtain a paper copy of the LTBB Health Department Notice of Privacy Practices** upon request.

## III. Our Responsibilities

LTBB Health Department is required by law to:

- \* Maintain the privacy of your health information
- \* Inform you about our privacy practices regarding health information we collect and maintain about you
- \* Notify you if we are unable to agree to a requested restriction
- \* Accommodate reasonable requests you may have to communicate health information by alternative means or at alternative locations
- \* Honor the terms of this notice or any subsequent revision of this notice

LTBB Health Department reserves the right to change its privacy practices and to make the new provisions effective for all protected health information it maintains. If LTBB makes any significant changes to this Notice, it will send you a copy within 60 days. LTBB also will post any revised Notice of Privacy Practices at public places in its health care facilities and you may also request a copy of the notice.

LTBB Health Department understands that health information about you is personal and is committed to protecting your health information. **We will not use or disclose your health information without your permission, except as described in this notice and as permitted by the Privacy Act.**

### IV. How we may use and disclose your health information to provide your treatment.

The following categories describe how we may use and disclose health information about you.

#### We will use and disclose your health information to provide your treatment.

**For example:** Your personal information will be recorded in your health record and used to determine the course or treatment for you. Your healthcare provider will document in your health record his/her instructions to members of your healthcare team. The actions taken and the observations made by the members of your healthcare team will be recorded in your health record so your health care provider will know how you are responding to treatment.

If LTBB Health Department refers you to another health care facility under the Contract Health Service (CHS) program, LTBB may disclose your health information to the health care provider for treatment. If you are transferred to another facility for further care and treatment, LTBB may disclose information to that facility to enable them to know the extent of treatment you have received and other information about your condition.

Your health care provider(s) may give you copies of your health information to others to assist in your treatment.

#### We will use and disclose your health information for payment purposes.

**For example:** If you have private insurance, Medicare, Medicaid coverage, a bill will be sent to your health plan for payment. The information on or accompanying the bill will include information that identifies you, as well as your diagnosis, procedures, and supplies used for your treatment.

If LTBB Health Department refers you to another health care provider under the CHS program, LTBB may disclose your health information with that provider for health care payment purposes.

#### We will use and disclose your health information for health care operations.

**For example:** We may use your health information to evaluate your care and treatment outcomes with our quality improvement team. This information will be used to continually improve the quality and effectiveness of the services we provide. This includes health care services provided under the CHS program.

**Business Associates:** LTBB Health Department provides some health care services and related functions through the use of contracts with business associates. Some examples can include physician services in the emergency department, radiology and certain laboratory tests. When these services are contracted, LTBB may disclose your health information to business associates so that they can perform their jobs. We require our business associates to protect and safeguard your health information in accordance with all applicable federal laws.

**Directory:** LTBB Health Department may use or disclose your name, general condition, religious affiliation, and location without our facility, for facility directory purposed, unless you notify us that you object to this information being listed. LTBB may provide your religious affiliation only to member so the clergy.

**Notification:** LTBB Health Department may use or disclose your health information to notify or assist in the notification of a family member, personal representative or other authorized person(s) responsible for your care, unless you notify us that you object.

**Communication with Family:** LTBB health providers may use or disclose your health information to others responsible for your care unless you object. For example, LTBB may provide your family members, other relatives, close personal friends or any other person you identify with health information which is relevant to that person's involvement with your care of payment for such care.

**Interpreters:** In order to provide you proper care and services, LTBB may use the services of an interpreter. This may require the use or disclosure of your personal health information to the interpreter.

**Research:** LTBB Health Department may use or disclose your health information for research purposes that has been approved by an Institutional Review Board that has reviewed the research proposal and established protocols to ensure the privacy of your health information. LTBB may also use or disclose your health information for research purposes based on your written authorization.

**Uses and Disclosures about Decedents:** LTBB Health Department may use or disclose health information about decedents to a coroner or medical examiner for the purpose of identifying a deceased person, determining a cause of death, or other duties as authorized by law. LTBB also may disclose health information to funeral directors consistent with applicable law as necessary to carry out their duties. In addition, LTBB may disclose protected health information about decedents where required under the Freedom of Information Act or otherwise required by law.

**Organ Procurement Organization:** LTBB health Department may use or disclose your health information to organ procurement organizations or other entities engaged in the procurement, banking, or transplantation of organs for the purpose of facilitating organ, eye, or tissue donation and transplant.

**Treatment Alternatives and Other Health-related Benefits and Services:** LTBB may contact you to provide information about treatment alternatives to other types of health-related benefits and services that maybe of interest to you. For example: we may contact you about the availability of new treatment or services for diabetes.

**Appointment Reminders:** LTBB Health Department may contact you with a reminder that you have an appointment for medical care or to advise you of a missed appointment.

**Food and Drug Administration (FDA):** LTBB Health Department may use or disclose your health information to the FDA in connection with an FDA-regulated product or activity. For example: we may disclose to the FDA information concerning adverse events involving food, dietary supplements, product defects or problems, and information needed to tract FDA-regulated products or to conduct product recalls, repairs, replacements, or look backs (including locating people who have received products that have been recalled or withdrawn), or post marketing surveillance.