

## Notice of Privacy Practices

Employee Assistance Professionals, Inc.  
DBA The Caregiver Resource Center  
PO Box 122 · Cos Cob, CT 06807-0122  
Linda A. Ziac – Privacy Officer  
Effective Date: 04/14/03  
Reflecting the 2013 regulatory changes

In December 2000, the U.S. Department of Health and Human Services issued privacy regulations under the Health Insurance Portability and Accountability Act of 1996, also known as HIPAA. The Department of Health and Human Services privacy regulations 45 CFR Parts 160 and 164 issued the Final Rule to: Modify the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security, and Enforcement Rules to take effect on September 23, 2013.

**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. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT US IN WRITING.**

We understand the importance of privacy, and are committed to maintaining the confidentiality of your medical information. We make a record of the medical care we provide, and may receive such records from others. We use these records to provide or enable other health care providers to provide quality medical care, to obtain payment for services provided to you as allowed by your health plan and to enable us to meet our professional and legal obligations to operate this practice properly. We are required by law to maintain the privacy of protected health information and to provide individuals with notice of our legal duties and privacy practices with respect to protected health information. This notice describes how we may use and disclose your medical information. It also describes your rights and our legal obligations with respect to your medical information. If you have any questions about this Notice, please contact our Privacy Officer listed above.

### **A. Purpose of the Notice of Privacy Practices**

This Notice of Privacy Practices (the "Notice") is meant to inform you of the ways we may use or disclose your protected health information. It also describes your rights to access and control your protected health information and certain obligations we have regarding use and disclosure of your protected health information (PHI).

Employee Assistance Professionals, Inc. DBA The Caregiver Resource Center (herein EAP, Inc.) is required by law to maintain the privacy of your protected health information and wants you to know about our practices for protecting your health information.

EAP, Inc. is required by law to provide you with this Notice of our legal duties and privacy practices with respect to your protected health information and to abide by the terms of the Notice that is currently in effect. The medical information we maintain may come from any of the providers from whom you have received services. The information about you created and received by us, including demographic information, that may reasonably identify you and that relates to your past, present or future physical or mental health or condition or payment for the provision of your health care is known as Protected Health Information, or PHI. We will not use or disclose your PHI without your permission, except as described in this notice.

We may revise our Notice at any time. The new revised Notice will apply to all of your protected health information maintained by us. You will not automatically receive a revised Notice.

If you would like to receive a copy of any revised Notice, you should access our web site at [www.TheCaregiverResourceCenter.com](http://www.TheCaregiverResourceCenter.com) contact EAP, Inc., or ask for a copy at your next appointment.

## **B. How this Practice May Use or Disclose Your Health Information**

The law permits us to use or disclose your health information for the following purposes:

1. Treatment. We will use and disclose your PHI in providing you with treatment and services and coordinating your care, and may disclose your PHI to other providers involved in your care. For example, we may share information with a home health agency to enable it to provide appropriate care. We may receive information from or disclose information to your physician or hospital staff to assist with appropriate treatment. Information may be collected from a hospital or extended care facility in order to plan for appropriate care upon your discharge from the facility. We may provide information to town or municipal social workers or housing officials to help locate appropriate services.
2. Payment. We may use and disclose your PHI for billing and payment purposes. We may disclose your PHI to an insurance or managed care company, Medicare, Medicaid or another third party payer. For example, we may confirm your eligibility for Long Term Care Insurance, Medicare or Medicaid and provide the Department of Social Services, insurance companies or others with information needed to obtain payment for equipment and services.

If payment is 60 days past due, EAP, Inc. has the option of using legal means to secure payment, as per CGS § 52-146s. This may involve hiring an attorney, collection agency, or going through small claims court; which will require The Caregiver Resource Center to take such action as would involve disclosure of your name, the nature of the services provided, and the amount due.

3. Health Care Operations. We may use and disclose medical information about you to operate this practice. For example, we may use and disclose this information to review and improve the quality of care we provide, or the competence and qualifications of our professional staff. We may also use and disclose this information to request that your health plan authorize services or referrals. We may also use and disclose this information as necessary for medical reviews, legal services and audits, including fraud and abuse detection and compliance programs and business planning and management. We may also share your information with other health care providers, a health care clearinghouse or health plans that have a relationship with you when they request this information, to help them with their quality assessment and improvement activities, their efforts to improve health or reduce health care costs, their review of compliance, qualifications and performance of health care professionals, their training programs, their accreditation, certification or licensing activities, or their health care fraud and abuse detection and compliance efforts.
4. Business Associates. We may share your medical information with “business associates”, such as our billing service that performs administrative services for us. If we were to use Business associates, we would have a written contract with each of these business associates that contains terms requiring them to protect the confidentiality of your medical information.
5. Scheduling and confirming appointments. We may use and disclose medical information to contact and remind you about appointments. If you are not home or work, we may leave this information with the person answering the phone or on your answering machine.
6. Cell Phones and alpha pagers: We reserve the right to return phone calls during non-business hours via cell phones. In the event we use an answering service, we reserve the right to use an alpha numerical paging system to expedite communication between providers and the answering service.
7. Notification and communication with family. We may disclose your health information to a family member or a close friend or other person you identify where relevant to that person’s involvement in your care or payment for your care. We may disclose your health information to notify or assist in notifying a family member, your personal representative or another person responsible for your care about your location, your general condition or in the event of your death. In the event of a disaster, we may disclose information to a relief organization so that they may coordinate these notification efforts. If you are able and available to agree or object, we will give you the opportunity to object prior to making these disclosures, although we may disclose this information in a disaster even over your objection if we believe it is necessary to respond to the emergency circumstances. If you are unable or unavailable to agree or object, our health professionals will use their best judgment in communicating with your family and others.

8. Marketing. We may contact you to give you information about product or services related to your treatment, case management or care coordination, or to direct or suggest other treatments or health-related benefits and services that may be of interest to you or to provide you with small gifts. We may also encourage you to purchase a product or service when we see you. We will not use or disclose your medical information for marketing purposes without your written authorization.
9. Required by law. As required by law, we will use and disclose your health information, but we will limit our use or disclosure to the relevant requirements of the law. When the law requires us to report abuse, neglect or domestic violence, or respond to judicial or administrative proceedings, or to law enforcement officials, we will further comply with the requirement set forth below concerning those activities.
10. Public health. We may, and are sometimes required by law to disclose your health information to public health authorities for purposes related to: preventing or controlling disease, injury or disability; reporting child, elder or dependent adult abuse or neglect; reporting domestic violence; reporting to the Food and Drug Administration problems with products and reactions to medications; and reporting disease or infection exposure. When we report suspected elder or dependent adult abuse or domestic violence, we will inform you or your personal representative promptly unless in our best professional judgment, we believe the notification would place you at risk of serious harm or would require informing a personal representative we believe is responsible for the abuse or harm.
11. Health oversight activities. We may, and are sometimes required by law to disclose your health information to health oversight agencies during the course of audits, investigations, inspections, licensure and other proceedings.
12. Judicial and administrative proceedings. We may, and are sometimes required by law, to disclose your health information in the course of any administrative or judicial proceeding to the extent expressly authorized by a court or administrative order. We may also disclose information about you in response to a subpoena, discovery request or other lawful process if reasonable efforts have been made to notify you of the request and you have not objected, or if your objections have been resolved by a court or administrative order.
13. Law enforcement. We may, and are sometimes required by law, to disclose your health information to a law enforcement official for purposes such as identifying or locating a suspect, fugitive, material witness or missing person, complying with a court order, warrant, grand jury subpoena and other law enforcement purposes.
14. To avert a serious threat to health or safety. We may, and are sometimes required by law, to disclose your health information to appropriate persons in order to prevent or lessen a serious and imminent threat to the health or safety of a particular person or the general public.
15. Specialized government functions. We may disclose your health information for military or national security purposes or to correctional institutions or law enforcement officers that have you in their lawful custody.
16. Worker's compensation. We may disclose your health information as necessary to comply with worker's compensation laws. For example, to the extent your care is covered by workers' compensation, we will make periodic reports to your employer about your condition. We may also be required by law to report cases of occupational injury or occupational illness to the employer or workers' compensation insurer.
17. Change of Ownership. In the event that this practice is sold or merged with another organization, your health information/record may be transferred to the new owner, although you will maintain the right to request that copies of your health information be transferred to another physician or medical group.
18. Military and National Security. If required by law, if you are a member of the armed forces, we may use and disclose your protected health information as required by military command authorities, Department of Veterans Affairs, or other authorized federal officials.

### **C. When This Practice May Not Use or Disclose Your Health Information**

Except as described in this Notice of Privacy Practices, this practice will not use or disclose health information, which identifies you without your written authorization. If you do authorize this practice to use or disclose your health information for another purpose, you may revoke your authorization in writing at any time, except to the extent that we have already taken action in reliance on the authorization.

### **D. Your Health Information Rights**

1. Right to Request Special Privacy Protections You have the right to request restrictions on certain uses and disclosures of your health information, by submitting a written request specifying what information you want to limit and what limitations on our use or disclosure of that information you wish to have imposed. We reserve the right to accept or reject your request, and will notify you of our decision.
2. Right to Request Confidential Communications. You have the right to request that you receive your health information in a specific way or at a specific location. For example, you may ask that we send information to a particular e-mail account or to your work address. We will comply with all reasonable requests submitted in writing which specify how or where you wish to receive these communications.
3. Right to Inspect and Copy. You have the right to inspect and copy your health information, with limited exceptions. To access your medical information, you must submit a written request detailing what information you want access to and whether you want to inspect it or get a copy of it. We will charge a reasonable fee, as allowed by Connecticut law. We may deny your request under limited circumstances.
4. Right to Amend or Supplement. You have a right to request that we amend your health information that you believe is incorrect or incomplete. You must make a request to amend in writing, and include the reasons you believe the information is inaccurate or incomplete. We are not required to change your health information, and will provide you with information about this practice's denial and how you can disagree with the denial. We may deny your request if we do not have the information, if we did not create the information (unless the person or entity that created the information is no longer available to make the amendment), if you would not be permitted to inspect or copy the information at issue, or if the information is accurate and complete as is.
5. Right to an Accounting of Disclosures. You have a right to receive an accounting of disclosures of your health information made by this practice, except that this practice does not have to account for the disclosures provided to you or pursuant to your written authorization, or as described in paragraphs 1 (treatment), 2 (payment), 3 (health care operations), 7 (notification and communication with family) and 17 (certain government functions) of Section A of this Notice of Privacy Practices or disclosures of data which exclude direct patient identifiers for purposes of research or public health or disclosures which are incident to a use or disclosure otherwise permitted or authorized by law, or the disclosures to a health oversight agency or law enforcement official to the extent this practice has received notice from that agency or official that providing this accounting would be reasonably likely to impede their activities and certain other disclosures.
6. Right to Receive a Notice of Privacy Practices. You have a right to receive a paper copy of this Notice of Privacy Practices, even if you have previously requested its receipt by e-mail.

If you would like to have a more detailed explanation of these rights or if you would like to exercise one or more of these rights, contact our Privacy Officer listed at the top of this Notice of Privacy Practices.

### **E. Special Rules Regarding Disclosure of Mental Health, Substance Abuse and HIV Related Information**

Under Connecticut and federal law, additional restrictions may apply to disclosures of health information that relates to care for psychiatric conditions, substance abuse or HIV-related testing and treatment. This information may not be disclosed without your specific written permission, except as may be specifically required or permitted by Connecticut or federal law.

**Protected Mental Health Information:** State law provides special protections when it comes to mental health information. Except for treatment, or healthcare operations, psychiatric communications will not be disclosed, without your specific written consent, unless the disclosure is made: (i) to another health care provider for the purpose of treatment and diagnosis (with notice to You); (ii) when there is substantial risk of imminent physical injury to you or others and the disclosure is necessary to place you in a treatment facility; (iii) to a court as part of a court ordered psychiatric examination; (iv) in a civil court proceeding if you introduce your mental condition as an element of a claim or defense; (v) after your death, when your condition is introduced by a party claiming or defending through or as a beneficiary of you and a court finds it to be in the interests of justice to disclose such psychiatric information; (vi) to the Commissioner of the State Department of Public Health or the State Department of Mental Health & Addiction Services in connection with an inspection or investigation; (vii) to the family or legal representative of a victim of a homicide committed by you; (viii) to individuals or agencies involved in the collection of fees for psychiatric services;

**Protected HIV-Related Information:** Special rules under State law also limit the disclosure of HIV-related information. According to the rules, the Provider may not disclose such information without your specific written authorization, unless such disclosure is: (i) made to a public health official as required or allowed by State or Federal law; (ii) a health care Provider for the purpose of treatment; (iii) a medical examiner to determine the cause of death; (iv) to a hospital committee or another organization for the purpose of oversight or monitoring of Employee Assistance Professionals, Inc.; (v) to a health care worker experiencing a significant occupational exposure to HIV infection; (vi) pursuant to a court order; (v) life and health insurers; (vi) to your partner by a physician caring for you and your partner if it is believed by the physician that your partner is at significant risk for transmission; and (v) if you are a minor, to your parents or legal guardian, unless the physician determines there is cause (as defined by law) not to disclose to them.

**Protected Drug and Alcohol Information:** Federal law establishes certain protections for any patient identifiable information relating to drug and alcohol treatment. As a general rule, protected drug and alcohol information is confidential and may not be disclosed without your authorization or pursuant to Federal law. Exceptions for disclosure of Protected drug and alcohol information without your authorization are as follows: (1) to medical personnel to the extent necessary to meet a bona fide medical emergency; (2) to qualified personnel for the purpose of conducting research, management audits, program evaluation, provided you are not identified in any report; (3) pursuant to a court order where good cause for such disclosure has been established; (4) communications between a program and an entity and an affiliated covered entity having direct administrative control over our program; (5) to a business associate performing services on our behalf; (6) limited communications with law enforcement regarding a crime committed or threatened by you on our premises; (7) the reporting of incidents of suspected child abuse and neglect to the appropriate state authorities; and (8) to the FDA when they assert that your health may be threatened by an error in the manufacture, labeling, or sale of a product under FDA jurisdiction.

Please note: Under HIPAA, individuals are granted access to their records, with the exception of "psychotherapy notes," better known as what therapists traditionally call "process notes."

## **F. Uses and Disclosures that Require Prior Authorization**

The following uses and disclosures of your PHI will be made only with your written authorization:

- Uses and disclosures of psychotherapy notes
- Uses and disclosures of PHI for marketing purposes
- Other uses and disclosures not described in the Notice of Privacy Practices

You may revoke your authorization in writing at any time, except to the extent that we have already taken action in reliance on the authorization.

## **G. Changes to this Notice of Privacy Practices**

We reserve the right to amend this Notice of Privacy Practices at any time in the future. Until such amendment is made, we are required by law to comply with this Notice. After an amendment is made, the revised Notice of Privacy Protections will apply to all protected health information that we maintain, regardless of when it was created or received. We will keep a copy of the current notice posted in our reception area, and provide you with a copy upon request.

## **H. How You Can File a Complaint**

You have the right to file a complaint with EAP, Inc. or with the Secretary of Health and Human Services, if you feel that your privacy rights as outlined in the notice, have been violated.

Complaints about this Notice of Privacy Practices or how this practice handles your health information should be directed to our Privacy Officer:

Linda A. Ziac  
Privacy Officer  
Employee Assistance Professionals, Inc.  
DBA The Caregiver Resource Center  
PO Box 122  
Cos Cob, CT 06807-0122  
(203) 861-9833

or

Department of Health and Human Services  
Office of Civil Rights  
Hubert H. Humphrey Bldg.  
200 Independence Avenue, S.W.  
Room 509F HHH Building  
Washington, DC 20201

There will be no penalty or retaliation for you filing a complaint.

**Note:** Use and disclosure of health information is regulated by a federal law known as HIPAA. You may find the HIPAA regulations at 45 Code of Federal Regulations Parts 160 and 164. This Notice attempts to summarize these regulations. The regulations will supersede any discrepancy between the information in this Notice and the regulations.

The Connecticut Data Privacy Act - On May 10, 2022, CT Governor Ned Lamont signed Senate Bill 6: An Act Concerning Personal Data Privacy and Online Monitoring (also known as The Connecticut Data Privacy Act or "CTDPA"), making Connecticut one of the first states to pass a comprehensive consumer privacy law. This law became effective on 7/01/2023.

According to CTDPA, *"Please note that entities subject to the Health Insurance Portability and Accountability Act (HIPAA) are exempt from the CTDPA."*

This notice is effective as of 04/14/03  
Reflecting the 2013 regulatory changes  
Updated 7/01/2023

© 2003-2023 Employee Assistance Professionals, Inc.  
DBA The Caregiver Resource Center