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| **POLICY TITLE:** | **Privacy Regulations Related to Client Rights and Grievances Policy** - CP28 |
| **APPLIES TO:** | All Clinical Staff at Caregiver Grove Behavioral Health |
| **EFFECTIVE DATE:** | December 1, 2018 |
| **ANNUAL**  **REVIEW DATE:** | January 1 (each calendar year)  Updated: July 26, 2024 |
| **PURPOSE:** | The purpose of Caregiver Grove Behavioral Health’s Privacy Regulations Related to Clients Rights and Grievances Policy is to maintain the privacy and confidentiality related to the client’s rights. |
| **DEFINITION:** | Caregiver Grove Behavioral Health’s Privacy Regulations Related to Clients Rights and Grievances Policy ensures that our clients’ privacy is protected and secured as it relates to Client Rights and Grievances. |
| **POLICY** | The purpose of Caregiver Grove Behavioral Health’s Privacy Regulations Related to Clients Rights and Grievances Policy is to maintain the privacy and confidentiality related to the client’s rights.  **Policy:** Caregiver Grove Behavioral Health will maintain client rights concerning confidentiality regulations and privacy practices. Caregiver Grove Behavioral Health will always aim to protect the privacy of clients by following the guidelines in this policy.  **Procedure**: Caregiver Grove Behavioral Health must treat the client’s authorized representative as a personal representative of a client if the individual, under applicable law, is authorized to act on the behalf of the client in making health care decisions. This includes any guardian or person who holds power of attorney.   1. An authorized representative is defined as a person who has authority under applicable law to make decisions related to health care on behalf of an adult or an emancipated minor, or the parent, guardian or other person acting in loco parentis who is authorized under law to make health care decisions on behalf of a minor who is not emancipated. 2. Caregiver Grove Behavioral Health must treat the authorized representative as the client only to the extent that PHI is relevant to the matters on which the authorized representative is authorized to represent the client. 3. Caregiver Grove Behavioral Health may elect not to treat a person as an authorized representative, if in the exercise of professional judgment, it decides that it is not in the best interest of the client to treat the person as the client’s authorized representative (i.e., if there is reasonable belief that the client has been or may be subjected to domestic violence, abuse, or neglect by such person, or that treating such person as the authorized representative could endanger the client.   Caregiver Grove Behavioral Health must obtain the client or their authorized representative’s agreement to disclose PHI to the third parties involved in his/her care.  Caregiver Grove Behavioral Health must not assume that a client or their authorized representative’s agreement at one point in time to disclose PHI to a relative or another person assisting in the client’s care implies agreement to disclose PHI indefinitely in the future.  Caregiver Grove Behavioral Health can release PHI to a client’s authorized representative or relatives upon the client’s death unless the client previously expressed his/her disagreement in disclosing this information.  With respect to minors who are not emancipated, the parent or legal guardian is treated as the authorized representative with respect to PHI.  Clients have the option to request restrictions of the uses and disclosures of PHI for treatment, payment, or health care operations:   1. Caregiver Grove Behavioral Health will permit clients to request confidential communications of PHI about them. This applies to communications from Caregiver Grove Behavioral Health to the client and the insured. 2. Clients may request alternative means of communication or alternative locations for communications to be made (i.e., preferred mailing address, alternate phone number). 3. Caregiver Grove Behavioral Health must accommodate all reasonable requests made by a client requesting limitations of confidential communications of PHI, especially if the client states that disclosure of PHI could endanger the client. 4. The reasonableness of such requests will be determined based on the administrative difficulty of complying with the request. 5. Caregiver Grove Behavioral Health cannot require the client to provide a reason for the request as a condition of accommodating the request. 6. Caregiver Grove Behavioral Health may refuse to accommodate a request if the client has not provided information as to how billing activities, if applicable, will be handled or if the client has not specified an alternative address or method of contact. 7. The client has a right to receive a listing of all disclosures of any PHI for the previous six years:    1. This accounting of disclosures must be made available within 60 days of a written request.    2. The client is entitled to one free accounting per 12-month period.   A client or their authorized representative who has a complaint regarding Caregiver Grove Behavioral Health’s compliance with or policies or procedures related to the HIPAA privacy rule will be directed to the Privacy Officer. The Privacy Officer will receive and keep a file of these complaints. |
| **APPLICABLE STANDARDS:** | CARF 1.K.3.; 1.K.2.a, b., HIP |
| **EXCEPTIONS:** |  |
| **APPROVERS:** | John Tooson IV | Chief Executive Officer (CEO)  Arnethia Levey | Vice President, Program Development & Compliance |