



## COMMUNITY & BEHAVIORAL SERVICES NOTICE OF PRIVACY PRACTICES

Community & Behavioral Services (CBS) respects your privacy and we are committed to maintaining the confidentiality of your health information. We will not make any use or disclosure of your information without your written authorization except for certain purposes described in this notice. Specifically, this notice will tell you about: (1) the way that we may use and disclose health information about you; (2) your privacy rights; (3) and special rules for citizens/participants (“participants”) receiving substance use disorder treatment services. We may occasionally update this Notice to comply with changes to the law, in which case you may obtain the most recent copy of this Notice directly from us, either by calling to request a copy or by visiting our facility.

### Your Privacy Rights

**Right to Inspect and Receive Copies:** You may request to see and/or receive a copy of your health information. If your health information is in electronic format, you may request that CBS also provide you with copies in electronic format. CBS may ask you to pay a reasonable, cost-based fee for copying or postage.

**Right to Request Amendment of Your Record:** You have the right to request amendment of your health information, which must be submitted to CBS in writing. If we agree to grant your request, we will add an amendment to your record. CBS may deny your request in certain circumstances, and will inform you

in writing if it does so. If denied, you may be permitted to submit a written statement of your disagreement with CBS’ decision, explaining the need for amendment, which Tlingit & Haida will include as part of your record. The right to request amendment of your record does not include the right to have your records destroyed. CBS will not destroy records.

**Revoke or Cancel Prior Authorizations:** If you previously authorized CBS to use or disclose your health information, you may revoke your authorization in writing at any time, except in certain circumstances involving referrals from the criminal justice system. Once revoked, we will no longer use or disclose your health information for the reasons covered by your written authorization. However, we are unable to take back any disclosures we have already made with your permission and, if the authorization was obtained as a condition of obtaining insurance or workers’ compensation coverage, applicable law may prohibit you from revoking authorization.

### Special Rules about the Confidentiality of Your Substance Use Disorder Participant Information

If you participate in substance use disorder (SUD) treatment services at CBS, records of those services are protected by the 42 C.F.R. Part 2 (“Part 2”) federal regulations governing the confidentiality of substance use disorder participant records. CBS may also receive records of your participation in SUD treatment at another facility, in which case CBS will determine whether Part 2 also applies to these records.

If some of your records are protected by Part 2, CBS must obtain your written consent before disclosing any information identifying you as

a participant in SUD services (“patient identifying information”), including before releasing information for payment purposes, although CBS may condition treatment on receiving your consent for payment purposes. Part 2 permits CBS to release covered records without your consent in certain circumstances, including:

- Between CBS staff, or to other Tlingit & Haida staff, as necessary for their duties arising out of the provision of SUD services to you, and the lawful and efficient operation of CBS.
- Pursuant to a confidentiality agreement between CBS and a contractor providing certain services to CBS. For example, CBS may discuss legal issues involving participants with a contractor providing legal services to CBS.
- For research, audit, or evaluation purposes. For example, CBS may disclose patient identifying information during an audit of CBS conducted by a governmental agency that provides funding supporting CBS services.
- To report a crime against CBS staff or on CBS property, or a threat to commit such crime. For example, CBS may report an assault committed by CBS participant against a CBS staff member.
- To medical personnel in a medical emergency. For example, CBS may disclose patient identifying information to a participant’s provider to treat an immediately life-threatening condition like a heart attack or overdose.
- To report suspected child abuse or neglect to appropriate authorities. For example, CBS may disclose patient identifying information in order to report suspected neglect of a child to the Alaska Office of Children’s Services.

- To report certain information regarding participant death or cause of death, or other vital statistics, as required by state law.
- Pursuant to a valid court order. For example, CBS may disclose patient identifying information to a court during a custody proceeding if it receives a court order meeting specific requirements under federal law.
- In certain emergency cases involving applicants for services who are minors.

Please note that Tlingit & Haida may also disclose information to Alaska Adult Protective Services as necessary to report suspected abuse or neglect of vulnerable adults, or to police or other third parties as necessary to avert a serious and imminent threat to the health and safety of a person or the public. In such cases, a report may be submitted without disclosing that the individual is a participant in SUD services, unless disclosure is authorized by 42 C.F.R. Part 2, such as where there is a valid court order for disclosure.

### **Rules for Behavioral Services Information Only**

In addition to the disclosures described above, if you receive services that do NOT involve treatment for a SUD, your health information may also be disclosed without your consent in the following circumstances:

- For treatment purposes. For example, to provide information about your care to another health provider that is also providing you treatment services.
- For payment purposes. For example, to provide information to a third-party payer in order to obtain reimbursement for services

that we provide you.

- To notify friends, family members, or individuals involved in your care of your general location and condition in cases of emergency.
- To avert a serious and imminent threat to the health and safety of a person or the public.
- To comply with state mandatory reporting laws, such as those on reporting suspected abuse, neglect or exploitation of a vulnerable adult, and those reporting certain types of injuries or illnesses.
- When otherwise required by law, including in response to a valid warrant or subpoena.
- In other limited circumstances necessary for the lawful and efficient operation of CBS, such as for business planning, evaluation, and quality improvement activities.

### **To Ask for Help, Express a Concern, or File a Complaint**

If you have questions, want more information, want to report a problem, or file a written complaint because you believe your privacy rights have been violated, you may contact:

Program Compliance  
320 W. Willoughby Avenue  
Juneau, AK 99801

Email: [confidentiality@ccthita-nsn.gov](mailto:confidentiality@ccthita-nsn.gov)  
Phone: 907-463-7143  
Fax: 907-885-0052

For filing a complaint with Tlingit & Haida, participants must use Tlingit & Haida's *Client Complaint Procedure*.

If you are receiving SUD treatment services and your complaint is regarding a violation of 42 C.F.R. Part 2, you may also file a complaint with the U.S. Attorney's Office in Juneau, reachable by mail at 709 West 9th St., Room 937, Juneau, AK 99801, or by phone at (907) 796-0400. Violation of the protections established by 42 C.F.R. Part 2 is a crime.

CBS and Tlingit & Haida will not retaliate or discriminate against you for filing complaints with Program Compliance or due to reports you have made to the federal government regarding your privacy rights.