

**CATHOLIC CHARITIES OF THE ARCHDIOCESE OF MIAMI, INC.**

**NOTICE OF CATHOLIC CHARITIES OF THE ARCHDIOCESE OF MIAMI, INC.  
PRIVACY POLICY**

**THIS NOTICE DESCRIBES HOW HEALTH INFORMATION  
ABOUT YOU MAY BE USED AND DISCLOSED AND HOW  
YOU CAN GET ACCESS TO THIS INFORMATION.  
PLEASE REVIEW IT CAREFULLY.**

*Effective Date: April 14, 2003*

*1. General Information*

- a. Purpose of this Notice. Catholic Charities of the Archdiocese of Miami, Inc. considers any information that concerns your health, health care or payment for that care to be confidential and protected health information. This information may include your name, address, and other identifying data, or information on your health or the health services that have been or may be furnished to you. This Notice describes Catholic Charities of the Archdiocese of Miami, Inc.'s privacy practices and how we use and disclose your health information and what rights you have with respect to this information. Catholic Charities of the Archdiocese of Miami, Inc. requires that all of its departments, employees, staff, volunteers and independent contractors comply with these privacy practices with respect to health information that is used or disclosed by Catholic Charities of the Archdiocese of Miami, Inc.
- b. Privacy Officer; Additional Information. If you have any questions regarding this Notice or would like to discuss any of Catholic Charities of the Archdiocese of Miami, Inc.'s privacy practices or request any additional information regarding any Catholic Charities of the Archdiocese of Miami, Inc.'s privacy practice or this Notice, please feel free to contact the Privacy Officer of Catholic Charities of the Archdiocese of Miami, Inc., **(305) 762-1322**.
- c. Acknowledgment of Receipt of this Notice. We are required by federal law to obtain an acknowledgment from you that you received this Notice. Please sign the attached Acknowledgment and return it to Catholic Charities of the Archdiocese of Miami, Inc. to personnel who provided the Notice to you.

2. The Use and Disclosure of Health Information for Treatment, Payment and Health Care Operations. *If you request health care from Catholic Charities of the Archdiocese of Miami, Inc., Catholic Charities of the Archdiocese of Miami, Inc. is allowed to use and disclose your health information for most purposes related to health treatment (Treatment), the payment for your Treatment (Payment) and the operations of Catholic Charities of the Archdiocese of*

*Miami, Inc., and the operations of other covered entities to whom we disclose your health information (Operations). In some situations, Florida law requires us to obtain your written permission before we use or disclose your health information, such as if the information pertains to HIV, AIDS, substance abuse, mental health or if you are a minor.*

***Treatment*** means the provision, coordination or management of health care and related services by or involving Catholic Charities of the Archdiocese of Miami, Inc. and other health care providers, such as the coordination of consultations and referrals. For example, as part of its Treatment of you, Catholic Charities of the Archdiocese of Miami, Inc. may:

- i. Share most health information regarding your health condition with another provider as part of a consultation;
- ii. Contact you to remind you to make or that you already made an appointment; and
- iii. Notify you regarding treatment alternatives or other health-related benefits and services that may be of interest to you.
- iv. Physicians involved in your care will need information about your symptoms in order to prescribe appropriate medications.
- v. Catholic Charities of the Archdiocese of Miami, Inc. may also disclose your health information to individuals outside Catholic Charities of the Archdiocese of Miami, Inc. involved in your care including family members, clergy who you have designated, pharmacists, suppliers of health equipment or other health care professionals.

***Payment*** means Catholic Charities of the Archdiocese of Miami, Inc. may include your health information in invoices to collect payment from third parties for the care you receive from Catholic Charities of the Archdiocese of Miami, Inc. such as obtaining reimbursement from Medicare, HMOs, PPOs, managed care companies, insurers or other payers. Payment also includes activities to determine your eligibility for services with your insurance company, coordination of benefits with other insurers, billing, claims management, collection, health necessity review activities, utilization review activities, and disclosure to consumer reporting agencies. For example, as part of Payment, Catholic Charities of the Archdiocese of Miami, Inc. may:

- vi. Disclose to your health plan health information that is required by the plan to show that the services that you request are covered by your health plan; and
- vii. Disclose to your health plan a list of the services that you obtained from Catholic Charities of the Archdiocese of Miami, Inc. so that Catholic Charities of the Archdiocese of Miami, Inc. can be reimbursed by the health plan for providing the services to you.

***Operations*** covers a wide range of activities that are necessary for Catholic Charities of the Archdiocese of Miami, Inc. to operate its business. These activities may be performed by the workforce of Catholic Charities of the Archdiocese of Miami, Inc. or, in some cases, by third-party contractors. For example, these activities include without limitation:

- i Quality assessment and improvement activities;
- ii. Professional review, including evaluating the performance of physicians to ensure that they meet our quality standards;
- viii. Accreditation, certification, credentialing or licensing activities;
- ix. Training programs including those in which student, trainees or practitioners in health care learn under supervision.
- x. Training of non-health care professionals;
- xi. Legal and financial services, including engaging attorneys to defend Catholic Charities of the Archdiocese of Miami, Inc. in legal actions;
- xii. Business planning and development; including cost management and planning related analyses and formulary development
- viii. Management activities related to the privacy practices of Catholic Charities of the Archdiocese of Miami, Inc.;
- ix. Customer services;
- x. Internal grievances;
- xi. Creating de-identified information for data aggregation or other purposes;
- xii. Fundraising for the benefit of Catholic Charities of the Archdiocese of Miami, Inc.

Catholic Charities of the Archdiocese of Miami, Inc. may use your health information to evaluate its staff performance, combine your health information with other patients in evaluating how to more effectively serve all clients, or contact you as part of general fundraising and community information mailings, unless you tell us you do not want to be contacted.

3. *Authorizations for Other Uses and Disclosures of Your Health Information. Unless Catholic Charities of the Archdiocese of Miami, Inc. is permitted to use and disclose your health information for Treatment, Payment or Operations under Section 2 of this Notice, or is permitted or required to use or disclose your health information under Sections 4 and 5 of this Notice, Catholic Charities of the Archdiocese of Miami, Inc. must obtain your written Authorization to use or disclose your health information, unless the disclosure is incidental to a use or disclosure otherwise permitted hereunder. We may also request an Authorization when using or disclosing your health information for research purposes or when using or disclosing certain highly protected information, such as psychotherapy notes, substance abuse records, mental health records and HIV and AIDS information. An Authorization is a written document that specifically identifies the information that Catholic Charities of the Archdiocese of Miami, Inc. will use or disclose, and when and how Catholic Charities of the Archdiocese of Miami, Inc. will use or disclose it. You may revoke an Authorization at any time, except to the extent that we have already used or disclosed information in reliance on your Authorization.*

4. Use and Disclosure of Health Information Without Your Authorization if You Do Not Object Verbally. Under certain circumstances other than Treatment, Payment and Operations, Catholic Charities of the Archdiocese of Miami, Inc. may use or disclose your health information without any written Authorization from you if Catholic Charities of the Archdiocese of Miami, Inc. provides you with the opportunity to agree or object verbally or infers your agreement. These circumstances are as follows:

a. To a relative, friend or individual involved in your care. Catholic Charities of the Archdiocese of Miami, Inc. may provide health information about you to your relatives, friends, or other individuals involved in your care, including clergy. We will attempt to seek, or, in some circumstances, using our professional judgment, will infer your permission to make this disclosure. If we are not able, because of your condition, because you are not immediately present, or for some other reason, we will use our best judgment to determine whether you would want this information shared.

b. For the facility directory. Catholic Charities of the Archdiocese of Miami, Inc. may include in its facility directory your name, location in our facility, general health condition and religious affiliation, after Catholic Charities of the Archdiocese Miami, Inc. gives you an opportunity to refuse to be included, advises you to whom the facility may disclose this information, and gives you an opportunity to restrict what information is included, such as your religious affiliation. Catholic Charities of the Archdiocese of Miami, Inc. shares all of this information with clergy and all of this information other than your religious affiliation with members of the public who inquire about you by name. Catholic Charities of the Archdiocese Miami, Inc. may put such information in the facility directory without your permission in an emergency situation or if Catholic Charities of the Archdiocese of Miami, Inc. believes it is in your best interests to be included and informs you and allows you to object when you are able to discuss this use of your health information.

c. For disaster relief. Catholic Charities of the Archdiocese of Miami, Inc. may use or disclose your health information to an entity that assists in disaster relief efforts.

5. Use and Disclosure of Health Information Without Your Authorization and Without an Opportunity to Agree or Object Verbally.

a. As required by law. Numerous state, federal and local laws permit or require certain uses and disclosures of health information. When so required, Catholic Charities of the Archdiocese of Miami, Inc. will use and disclose your health information as required by these laws.

b. To Business Associates. Catholic Charities of the Archdiocese of Miami, Inc. will use and disclose your health information to business associates who perform functions on

behalf of Catholic Charities of the Archdiocese of Miami, Inc. if Catholic Charities of the Archdiocese of Miami, Inc. first receives satisfactory assurances that the business associate will safeguard your health information.

- c. For public health activities. Catholic Charities of the Archdiocese of Miami, Inc. may be asked, or required by law, to disclose health information for public health activities under the following circumstances:
  - i. To report a death, disease or injury or disability;
  - ii. As part of a public health investigation;
  - iii. To report adverse events, such as product defects, adverse reactions to medications, to track products or assist in product recalls or repairs or replacements, or to conduct post-marketing surveillance, as required by the Food and Drug Administration;
  - iv. To notify a person about exposure to a possible communicable disease; and
- d. For health oversight activities. Catholic Charities of the Archdiocese of Miami, Inc. may disclose your health information to a health oversight agency for activities involved in oversight of the health care system. Such activities may include without limitation:
  - i. *Audits;*
  - ii. *Government investigations;*
  - iii. *Inspections,*
  - iv. *Disciplinary proceedings, and*
  - v. *Other administrative and judicial actions undertaken by the government (or their contractors) authorized by law to oversee Catholic Charities of the Archdiocese of Miami, Inc.*
- e. To report victims of abuse, neglect or domestic violence. *If Catholic Charities of the Archdiocese of Miami, Inc. believes that you are a victim of abuse, neglect or domestic violence, Catholic Charities the Archdiocese of Miami, Inc. may report this belief to an authority authorized by law to receive reports of abuse, neglect or domestic violence with your agreement, or if your agreement cannot be obtained, if disclosure is necessary to prevent serious harm to you or another individual, or if you are unable to agree, a law enforcement official represents that the information disclosed will not be used against you and waiting for your agreement will materially and adversely affect immediate law enforcement activity.*
- f. For judicial and administrative proceedings. *Catholic Charities of the Archdiocese of Miami, Inc. may disclose health information as required by a court or administrative order, or in some instances pursuant to a subpoena, discovery request or other legal process if Catholic Charities of the Archdiocese of Miami, Inc. receives satisfactory*

*assurance from the party seeking the information that you have been given notice of the request or that reasonable efforts have been made to obtain a qualified protective order.*

- g. To law enforcement. Catholic Charities of the Archdiocese of Miami, Inc. may disclose health information to police and other law enforcement officers pursuant to a court order, warrant, subpoena, summons, administrative request or similar legal process to assist in locating or identifying a suspect, fugitive, victim, witness, missing person, or stopping a possible crime or notifying of deaths that may have been caused by criminal conduct.*
- h. To coroners, health examiners and funeral directors. Catholic Charities of the Archdiocese of Miami, Inc. may disclose information regarding a person who has died as authorized by law or in order to facilitate funerary activities.*
- i. For organ, eye, and tissue donation. Catholic Charities of the Archdiocese of Miami, Inc. may provide health information to organ procurement organizations and similar entities in order to facilitate organ, eye and tissue donation.*
- j. For research purposes. Catholic Charities of the Archdiocese of Miami, Inc. may participate in health research projects, such as tracking a particular disease or testing new medications and procedures. Catholic Charities of the Archdiocese of Miami, Inc. may provide health information to a researcher without first obtaining client permission, if the researcher has obtained a special waiver from a committee established under federal law to oversee health research and the committee has demonstrated that the information is necessary to the research and poses a minimal risk of inappropriate use or disclosure.*
- k. To avert a serious threat to health and safety. Catholic Charities of the Archdiocese of Miami, Inc. may use or disclose your health information to avert a serious and imminent threat to the health and safety of an individual or the public.*
- l. For military and other specialized government functions.*
  - i. Military Forces. Catholic Charities of the Archdiocese of Miami, Inc. may disclose your health information if you are a member of the Armed Forces, as deemed necessary by military command authorities, and if you are foreign military personnel, to your appropriate authority.*
  - ii. National Security and Intelligence. Catholic Charities of the Archdiocese of Miami, Inc. may disclose your health information to authorized federal officials for lawful intelligence, counterintelligence, and other national security activities, and for protective services to the President and other heads of state or authorized persons.*

iii. Correctional Institutions. If you are an inmate, Catholic Charities of the Archdiocese of Miami, Inc. may disclose your health information to correctional institutions or law enforcement personnel having lawful custody of you for administration and maintenance of the safety, security and good order of the correctional institution; or if necessary to provide health care to you, or to protect you, other inmates, employees and officers of the institution, individuals participating in your transportation, or law enforcement at the institution.

For workers compensation. Catholic Charities of the Archdiocese of Miami, Inc. may share information as authorized by workers compensation and similar laws that provide benefits for work-related illnesses and injuries.

n. Other permitted disclosures. *Catholic Charities of the Archdiocese of Miami, Inc. may disclose your health information as required or permitted by the privacy regulations promulgated pursuant to the Health Insurance Portability and Accountability Act and the applicable federal and state laws, rules and regulations, as amended and interpreted from time to time.*

6. Individual Rights. *You have the following rights with respect to your health information:*

a. Restrictions. *You have the right to request in writing how Catholic Charities of the Archdiocese of Miami, Inc. uses and discloses your health information. Catholic Charities of the Archdiocese of Miami, Inc. does not have to agree to every restriction you request. If Catholic Charities of the Archdiocese of Miami, Inc. does agree to a restriction, Catholic Charities of the Archdiocese of Miami, Inc. is bound by the agreement, except in emergency circumstances. Catholic Charities of the Archdiocese of Miami, Inc. has the right to ask you to revoke a restriction to which Catholic Charities of the Archdiocese of Miami, Inc. previously agreed. Please contact the Privacy Officer to request such a restriction.*

b. Confidential Communications. *You have the right to request in writing that Catholic Charities of the Archdiocese of Miami, Inc. restrict the way in which Catholic Charities of the Archdiocese of Miami, Inc. communicates information regarding your health, health care services, or payment. For example, you may ask that Catholic Charities of the Archdiocese of Miami, Inc. communicate with you only at your home, not at your workplace. Catholic Charities of the Archdiocese of Miami, Inc. will accommodate your reasonable requests. Please contact the Privacy Officer to request such a restriction.*

c. Access. *You have the right to make a written request to inspect and copy most of your health information maintained by Catholic Charities of the Archdiocese of Miami, Inc., Catholic Charities of the Archdiocese of Miami, Inc. will generally provide you with*

access within 30 days of your request. Catholic Charities of the Archdiocese of Miami, Inc. will charge you a fee for copying your health information. In certain limited instances, Catholic Charities of the Archdiocese of Miami, Inc. may deny you access. If Catholic Charities of the Archdiocese of Miami, Inc. denies you access, you may have a right to appeal the denial. Please contact the Privacy Officer to request to inspect and/or copy your health information.

- d. Amendment. You have the right to request in writing Catholic Charities of the Archdiocese of Miami, Inc. to amend your written health information. A request must be made in writing and must include a reason for the amendment. Catholic Charities of the Archdiocese of Miami, Inc. will generally amend your information within 60 days of your request, and will notify you when Catholic Charities of the Archdiocese of Miami, Inc. has amended your information. Catholic Charities of the Archdiocese of Miami, Inc. can deny your request in certain circumstances, such as when Catholic Charities of the Archdiocese of Miami, Inc. believes that the information you want to amend is accurate and complete. You can file a statement of disagreement to our denial. Your request for amendment, our denial, your statement of disagreement, and our rebuttal to your statement of disagreement, if any, shall be included with any future disclosures of such information. Please contact the Privacy Officer to request an amendment to your health information.
- e. Accounting. You have the right to request in writing for Catholic Charities of the Archdiocese Miami, Inc. provide you with an accounting of certain disclosures of your health information made by Catholic Charities of the Archdiocese of Miami, Inc. during the 6 years prior to your request, but no earlier than April 14, 2003. An accounting will not include disclosures made to you, to your family and friends, pursuant to an authorization signed by you, or for Treatment, Payment, or Operations. We will generally provide you with your accounting within 60 days of your request. Catholic Charities of the Archdiocese of Miami, Inc. will provide you with an accounting at no cost to you once every 12 months. For additional accountings, Catholic Charities of the Archdiocese of Miami, Inc. will notify you in advance of the cost and give you an opportunity to continue or withdraw your request.
- f. Paper Notice. If you have obtained this Notice electronically, you may obtain a paper copy by contacting the Privacy Officer.
- g. Complaints. If you believe that Catholic Charities of the Archdiocese of Miami, Inc. has violated any of your rights with respect to your health information, you may file a complaint with Catholic Charities of the Archdiocese of Miami, Inc. and/or to the Secretary of the United States Department of Health and Human Services. Please contact the Privacy Officer if you wish to file a complaint with Catholic Charities of the

*Archdiocese of Miami, Inc. Catholic Charities of the Archdiocese of Miami, Inc. will not retaliate against you for filing a complaint.*

7. *Catholic Charities of the Archdiocese of Miami, Inc.'s Duties. Catholic Charities of the Archdiocese of Miami, Inc. is required by law to maintain the privacy of your health information and, unless you are an inmate, to provide you with this Notice of Catholic Charities of the Archdiocese of Miami, Inc. legal duties and privacy practices with respect to your health information. Catholic Charities of the Archdiocese of Miami, Inc. must comply with the Notice currently in effect. Catholic Charities of the Archdiocese of Miami, Inc. reserves the right to change its privacy practices and will revise the Notice if Catholic Charities of the Archdiocese of Miami, Inc. materially changes any use, disclosure, individual right or legal duty or other privacy practice stated in this Notice. If Catholic Charities of the Archdiocese of Miami, Inc. revises its Notice, copies of the revised Notice will be available from the Privacy Officer. Catholic Charities of the Archdiocese of Miami, Inc. may choose to apply a change in a privacy practice to information that Catholic Charities of the Archdiocese of Miami, Inc. created or received prior to issuing a revised Notice.*

[Signatures on the following page]

This document was created with Win2PDF available at <http://www.daneprairie.com>.  
The unregistered version of Win2PDF is for evaluation or non-commercial use only.