

Privacy Practices

Notice of Privacy Practices

Effective Date: April 14, 2003

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND RELEASED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION.

PLEASE READ THIS NOTICE CAREFULLY.

Uses and Releases of Protected Health Information

Magellan Behavioral Care of Iowa, Inc. (Magellan) manages care for the Iowa Plan for Behavioral Health. We believe in keeping your health information private. We can only use or release your health information for certain reasons. Your protected health information is any information related to your health that also identifies you. The types of releases are listed and explained below. Note: An example is not listed for every use or release reason.

We will use the least amount of information needed when giving or using your information. We may need to use or release information in a way that is not listed in this notice. If so, we will ask for your written OK before we use or release your information.

Types of Uses or Releases of Information

Payment

We may use and release your health information for payment activities. An example is we may have to share information with another health plan. We will do this to find out who is responsible for paying for your care.

Treatment

We may use your health information to help in providing treatment or services. Treatment means providing, coordinating or managing your health care. An example of this is that we may use the information you give us when doing an evaluation or providing clinical consultation.

Health Care Operations

We use your information to run our program and to make sure that you get quality care. We may use your information for the following:

- Quality assurance
- Case management and coordination of health care
- Contacting providers and members with information about other forms of treatment.
- Activities to look at trends to improve and lower the cost of health care.
- A look at how often you use your treatment. This includes review by companies not connected with Magellan. This is done when the review is requested by the member or the provider.

Here is an example. To make sure you are getting the right kind of care, our care managers look at your health information. This helps them to know if the kind of care your provider asks for is medically necessary. It also helps them to decide if the requested care is the right kind to treat your condition.

Health Oversight Activities

We may share your information with health oversight agencies. We do this for activities authorized by law. These activities are needed for the government to oversee the following:

- Health care systems
- Compliance of government benefit programs

- Compliance with civil rights laws

Disclosures may happen through one or more of the following:

- Audits
- Investigations
- Licensure or disciplinary actions
- Civil, administrative or criminal proceedings

We will provide the least amount of information required by law.

Disclosures to the State of Iowa

We may release your health information to the State of Iowa. They must follow the HIPAA Privacy regulation guidelines. Only the least amount of information needed will be released.

Information Relating to the Treatment of Minors

We will follow state and federal laws for keeping information regarding the treatment of minors private. Many states allow minors to get treatment without an OK from their parents. They do this for minors who are of a certain age. We follow all laws that apply to the confidentiality of treatment for minors.

Health-Related Benefits or Services

Magellan may use or release your health care information for preventive treatment reasons. Here is an example. A family who has a child with attention deficit disorder may be mailed a notice. This notice will tell parents about services available to screen other children in the family for attention deficit disorder.

Lawsuits and Disputes

We share your information with the court when the law says we can or we must. For example, a court might order us to give your information.

Appointment Reminders

We may use or release your health information to remind you of an appointment for treatment or medical care.

Treatment Alternatives

There are other types of treatment that may interest you. We may use or release your health information to let you know about them. All ways in which we use your information are handled in a way that protects your privacy.

Release of Information to Family Members

We may give a limited amount of your information to someone involved in your care in an emergency or if you cannot give us an OK. We will only give them the information connected to their involvement in your care.

Release of Information to the Armed Forces

We will release your health information to the armed forces if you are or were a member of the armed forces as required by law. We will release the least amount of information needed to carry out the purpose of the release.

To comply with workers' compensation

We will not give out your health information to workers' compensation programs without your OK.

As Required or Permitted by Law for Public Safety

If we have to or are permitted to by law, we will release your health information for public safety. A release may be made to protect you from serious danger to your health or safety. It can also be made to protect the health or safety of another person. We will release just the amount of information needed to follow the law.

Government Security Clearances

We may share your information where required by law for government security clearances. We will release just the amount of information needed for the clearance.

Public Health Risks

We may share your information for public health reasons. Here is an example. If necessary we may share your information to report child abuse or neglect.

Inmates

If you are an inmate or in the custody of law enforcement, we may release your health information without your OK. We will do this for your health care. We will also do this for the care and safety of others. We may also release it to the facility where you are being held for further law enforcement or safety reasons.

Psychotherapy Notes

Psychotherapy notes are notes written by mental health providers. They include a written record or assessment of the contents of the discussion during a private treatment session. They may also include group, joint or family treatment. The notes must be kept separately from the rest of your mental health medical record.

Magellan rarely asks for psychotherapy notes. We do not release psychotherapy notes to outside parties. In the rare event we request your psychotherapy notes, it will only be with your written OK.

Other Uses and Disclosures

Other uses and releases will be made only with your written OK. You are allowed to stop your OK at any time in writing. Requests to cancel your prior OK to release information will be honored except where we have already taken action.

Rights Related to Protected Health Information

Right to Request Restrictions on Uses and Disclosures

You have a right to ask for limits on some use and releases of your health information. Those uses can be for treatment, payment or health care operations. We will consider each request. However, we do not have to agree to them. In some cases, limits set on the release of your information may make it difficult for us to pay for your services. Call or write Magellan if you would like to request limits to the uses or release of your health information. The address and telephone number are listed on the last page of this notice.

Right to Receive Confidential Communications

All information will be sent in a private manner for your protection. Information will be sent to the most current address in our files. You have the right to ask to receive notices about your health information in another way or at a different address. If possible, we will change how and where we send your information if our usual way puts you in danger. All reasonable requests will be granted. You must tell us that you would be put in danger if we kept writing or talking to you about your health in the same way or place. You must ask us in writing. Contact us at the address and telephone number listed on the last page of this notice.

Right to Inspect and Copy Protected Health information

You have a right to look over and ask for a copy of your health information that is part of our records.

This right does not apply to the following:

- Psychotherapy notes
- Information gathered to prepare for civil, criminal or administrative actions or proceedings
- When the law does not permit the release.

Here is an example. A licensed health care professional may decide the release could harm you or another person. We will not release the information in these cases. But we may be able to release some information in our records. We will not release information created by your provider. This includes medical records.

Call your provider to get this kind of information. To get a copy of your health information, you must send your request in writing to Magellan. The address and telephone number are listed on the last page of this notice.

Cost for copies of records

We may charge you for the cost of copying and mailing. You cannot get a copy of certain information. If we deny your request, we will send you a letter that tells you why within 30 days.

Right to Change Protected Health Information

You may ask us to change health information if something is missing or is wrong. You must ask us in writing. You must give us a reason why we need to change it. We may not be able to agree to the change. We may deny your request if we believe our information is correct. All requests must be sent to Magellan at the address listed on the last page of this notice.

Right to ask us for a list of who got your health information

You have a right to ask us for a list of who got your health information. You must ask us in writing. The law says that we do not have to include on the list releases where:

- We had your written OK to release your health information
- We released your information for treatment, payment or health care operations
- We released information for law enforcement or national security purposes
- The information was released before April 14, 2003

The list will tell you who got your information after April 14, 2003. To request a list of releases, you must contact Magellan at the address listed on the last page of this notice. We will answer your request within 60 days of receiving the request.

Right to Get a Paper Copy of this Notice

You have a right to receive a paper copy of this notice. Even if you received this notice by electronic means, you have this right. Call or write Magellan to ask for a paper copy of this notice. The address and telephone number are listed on the last page of this notice.

Our Responsibilities under this Notice

The law requires us to maintain the privacy of your health information. The law also requires us to give you this notice. This information includes our legal duties and privacy practices with respect to your health information.

We are required to follow the terms of the privacy notice that is now in effect.

We have the right to change the terms of this notice. We can also make the new notice requirements effective for all your health information that we keep.

The terms of this notice could change in ways that would change your rights. If this happens, we will send you a notice of this change within 60 days.

Questions and Comments

How you feel about our services is very important to us. We want to make sure that you fully understand your privacy rights. If you want more information about Protected Health Information, go to:

- The Department of Health and Human Services Administrative Simplification website. The address is www.aspe.hhs.gov/admsimp/.

You may have questions or comments about this notice or your rights. If so, you may call or write Magellan. The address and telephone number are listed on the last page of this notice.

Complaints

You may file a complaint with us if you feel your privacy rights have been violated. All complaints must be given to us in writing. To file a complaint, write Magellan at the address listed on the last page of this notice. You may also complain to the US Secretary of Health and Human Services. You will not receive a negative reaction from us if you file a complaint.

Contact Information

Magellan Behavioral Care of Iowa, Inc.
Attn: Privacy Official
P.O. Box 71129
Des Moines, Iowa 50325

Telephone: 1-800-317-3738