

Privacy Notice- HIPAA

Employee Privacy Notice

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.

Background: The Health Insurance Portability and Accountability Act of 1996 (HIPAA) requires health plans to notify plan participants and beneficiaries about its policies and practices to protect the confidentiality of their health information. This document is intended to satisfy HIPAA's notice requirement with respect to all health information created, received, or maintained by **MT. SAN ANTONIO COMMUNITY COLLEGE DISTRICT'S EMPLOYEE COUNSELING CENTER ("Mt. SAC ECC")**.

MT. SAC ECC needs to create, receive, and maintain records that contain health information about you to administer and provide you with health care. This notice describes MT. SAC ECC's health information privacy policy with respect to your health information. The notice tells you the ways MT. SAC ECC may use and disclose health information about you, describes your rights, and the obligations MT. SAC ECC has regarding the use and disclosure of your health information. However, it does not address the health information policies or practices of your health care providers at the Mt. SAC Student Health Center or under any Mt. SAC sponsored medical, dental, vision, or other benefit plan.

Mt. San Antonio Community College District's Employee Counseling Center Pledge Regarding Health Information Privacy

The privacy policy and practices of MT. SAC ECC protects confidential health information that identifies you or could be used to identify you and relates to a physical or mental health condition or the payment of your health care expenses. This individually identifiable health information is known as "protected health information" (PHI). Your PHI will not be used or disclosed without a written authorization from you, except as described in this notice or as otherwise permitted by federal and state health information privacy laws.

Privacy Obligations of MT. SAC ECC

MT. SAC ECC is required by law to:

- make sure that health information that identifies you is kept private;
- give you this notice of MT. SAC ECC's legal duties and privacy practices with respect to health information about you; and
- follow the terms of the notice that is currently in effect.

How MT. SAC ECC May Use and Disclose Health Information About You

The following are the different ways MT. SAC ECC may use and disclose your PHI:

For Treatment. MT. SAC ECC may disclose your PHI to a health care provider who renders treatment on your behalf. For example, if you are unable to provide your medical history as the result of a psychotic episode, MT. SAC ECC may advise an emergency room physician about the types of prescription drugs you currently take.

For Payment. MT. SAC ECC may use and disclose your PHI so claims for health care treatment, services, and supplies you receive from health care providers may be paid according to MT. SAC ECC's terms. For example, MT. SAC ECC may receive and maintain information about a COVID-19 vaccination or testing you received to enable Mt. SAC to reimburse expenses incurred in accordance with contractual obligations.

For Health Care Operations. MT. SAC ECC may use and disclose your PHI to enable it to operate or operate more efficiently or make certain all of MT. SAC ECC's clients receive care. For example, MT. SAC ECC may use your PHI to study population care needs and enhance delivery of services. In addition, MT. SAC ECC may use or disclose your PHI to conduct compliance reviews, audits, actuarial studies, and/or for fraud and abuse detection. MT. SAC ECC may also combine health information about many clients and disclose it to the District in summary fashion so it can decide what services MT. SAC ECC should provide. MT. SAC ECC may remove information that identifies you from health information disclosed to the District so it may be used without the District learning who the specific participants are.

To the District. MT. SAC ECC may disclose your PHI to designated District personnel so they can carry out their MT. SAC ECC-related administrative functions, including the uses and disclosures described in this notice. Such disclosures will be made only to Mental Health Clinicians and/or MT. SAC ECC administrative support staff. These individuals will protect the privacy of your health information and ensure it is used only as described in this notice or as permitted by law. Unless authorized by you in writing, your health information: (1) may not be disclosed by MT. SAC ECC to any other District employee or department and (2) will not be used by the District for any employment-related actions and decisions or in connection with any other employee benefit plan sponsored by the District.

To a Business Associate. Certain services are provided to MT. SAC ECC by third-party administrators known as "business associates." For example, MT. SAC ECC may input information about your health care treatment into an electronic record processing system maintained by MT. SAC ECC's business associate. In so doing, MT. SAC ECC will disclose your PHI to its business associate so it can perform record keeping. However, MT. SAC ECC will require its business associates, through contract, to appropriately safeguard your health information.

Treatment Alternatives. MT. SAC ECC may use and disclose your PHI to tell you about possible treatment options or alternatives that may be of interest to you.

Health-Related Benefits and Services. MT. SAC ECC may use and disclose your PHI to tell you about health-related benefits or services that may be of interest to you.

Individual Involved in Your Care. MT. SAC ECC may also advise a family member or emergency contact about your location (for example, that you are in the hospital), or death.

As Required by Law. MT. SAC ECC will disclose your PHI when required to do so by federal, state, or local law, including those that require the reporting of certain types of wounds or physical injuries.

Special Use and Disclosure Situations

MT. SAC ECC may also use or disclose your PHI under the following circumstances:

Lawsuits and Disputes. If you become involved in a lawsuit or other legal action, MT. SAC ECC may disclose your PHI in response to a court or administrative order, a subpoena, warrant, discovery request, or other lawful due process.

Workers' Compensation. MT. SAC ECC may disclose your PHI to the extent authorized by and to the extent necessary to comply with workers' compensation laws or other similar programs.

To Avert Serious Threat to Safety. MT. SAC ECC may use and disclose your PHI when necessary to prevent a serious threat to your safety, or the safety of the public or another person, suspected child and/or elder/dependent abuse or neglect and/or danger to yourself or to others.

Your Rights Regarding Health Information About You

Your rights regarding the health information MT. SAC ECC maintains about you are as follows:

Right to Inspect and Copy. You have the right to inspect and copy your PHI. This includes information about you, but does not include psychotherapy notes.

To inspect and copy health information maintained by MT. SAC ECC, submit your request in writing to MT. SAC ECC Administrator. MT. SAC ECC may charge a fee for the cost of copying and/or mailing your request. In limited circumstances, MT. SAC ECC may deny your request to inspect and copy your PHI. Generally, if you are denied access to health information, you may request a review of the denial.

Right to Amend. If you feel that health information MT. SAC ECC has about you is incorrect or incomplete, you may ask MT. SAC ECC to amend it. You have the right to request an amendment for as long as the information is kept by or for MT. SAC ECC.

To request an amendment, send a detailed request in writing to MT. SAC ECC Administrator. You must provide the reason(s) to support your request. MT. SAC ECC may deny your request if you ask MT. SAC ECC to amend health information that was: accurate and complete, not

created by MT. SAC ECC; not part of the health information kept by or for MT. SAC ECC; or not information that you would be permitted to inspect and copy.

Right to an Accounting of Disclosures. You have the right to request an “accounting of disclosures.” This is a list of disclosures of your PHI that MT. SAC ECC has made to others, except for those necessary to carry out health care treatment, payment, or operations; disclosures made to you; or in certain other situations. To request an accounting of disclosures, submit your request in writing to employeeentalhealth@mtsac.edu. Your request must state a time period, which may not be longer than six years prior to the date the accounting was requested.

Right to Request Restrictions. You have the right to request a restriction on the health information MT. SAC ECC uses or disclosures about you for treatment, payment, or health care operations. You also have the right to request a limit on the health information MT. SAC ECC discloses about you to someone who is involved in your care, like a family member or friend. For example, you could ask that MT. SAC ECC not use or disclose information about your location.

To request restrictions, make your request in writing to employeeentalhealth@mtsac.edu. You must advise us: (1) what information you want to limit; (2) whether you want to limit MT. SAC ECC’s use, disclosure, or both; and (3) to whom you want the limit(s) to apply.

Note: MT. SAC ECC is not required to agree to your request.

Right to Request Confidential Communications. You have the right to request that MT. SAC ECC communicate with you about health matters in a certain way or at a certain location. For example, you can ask that MT. SAC ECC send information to a specified address.

To request confidential communications, make your request in writing to employeeentalhealth@mtsac.edu. MT. SAC ECC will make every attempt to accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

Right to a Paper Copy of this Notice. You have the right to a paper copy of this notice. You may write to employeeentalhealth@mtsac.edu to request a written copy of this notice at any time.

Changes to this Notice

MT. SAC ECC reserves the right to change this notice at any time and to make the revised or changed notice effective for health information MT. SAC ECC already has about you, as well as any information MT. SAC ECC receives in the future. MT. SAC ECC will post a copy of the current notice on the District’s website at all times.

Complaints

If you believe your privacy rights under this policy have been violated, you may file a written complaint with the College Compliance Officer at the address listed below. Alternatively, you

may complain to the Secretary of the U.S. Department of Health and Human Services, generally, within 180 days of when the act or omission complained of occurred.

Note: You will not be penalized or retaliated against for filing a complaint.

Other Uses and Disclosures of Health Information

Other uses and disclosures of health information not covered by this notice or by the laws that apply to MT. SAC ECC will be made only with your written authorization. If you authorize MT. SAC ECC to use or disclose your PHI, you may revoke the authorization, in writing, at any time. If you revoke your authorization, MT. SAC ECC will no longer use or disclosure your PHI for the reasons covered by your written authorization; however, MT. SAC ECC will not reverse any uses or disclosures already made in reliance on your prior authorization.

Contact Information

If you have any questions about this notice, please contact:

**Mt. San Antonio College
1100 N. Grand Ave.
Walnut, CA 91789
(909) 274-6044**

eeo.titleix@mtsac.edu