

## **Notice of Privacy Practices for Substance Use Disorder Treatment Information The Research Foundation for SUNY**

This notice describes how health information related to Substance Use Disorder (SUD) treatment by The Research Foundation for SUNY may be used and disclosed, your rights with respect to your SUD treatment information and how to file a complaint concerning a violation of the privacy or security of your SUD treatment information, or of your rights concerning your SUD treatment information. You have a right to a copy of this notice, in paper or electronic form, and to discuss it with our Privacy Officer whose contact information is listed below if you have any questions.

This notice supplements the information in our HIPAA Notice of Privacy Practices and describes the additional protections for records related to SUD treatment information. We are required to provide patients with this notice of our legal duties and privacy practices with respect to SUD records and to notify affected patients following a breach of unsecured SUD records.

This notice is applicable to SUD treatment information protected under 42 CFR Part 2 which is limited to SUD treatment programs and does not apply to information related to care provided outside these programs such as substance abuse screening that is performed in emergency rooms or by your primary care provider.

### **How We May Use and Share Your Information**

The confidentiality of SUD patient records maintained by us is protected by Federal law and regulations.

Instances where we may share information without your consent:

- The disclosure is made to medical personnel in a medical emergency;
- The disclosure is made to qualified service organizations providing services on our behalf who agree in writing to protect the information in the same way that we are required to protect the information;
- The disclosure is made to law enforcement to report a crime you commit, or threaten to commit, in our facility or against our personnel;
- The disclosure is made to the New York State Office of Children and Family Services to report suspected child abuse and neglect as required by New York state law;
- The disclosure is made to qualified personnel for research subject to ethics board approval and oversight;
- The disclosure is made to qualified personnel for audit or program evaluation who a) agree in writing to protect the information as required under our policies, b) represent federal, state, or local government agencies that are authorized by law to oversee our program, or c) provide financial assistance to the program or provide payment for health care such as the Department of Mental Health and Addiction Services;

- The disclosure is allowed by a court order and that order includes a subpoena or other legal mandate requiring that we share your information. In particular, note that records, or testimony about your records, cannot be shared in any civil, administrative, criminal, or legislative proceedings against you unless there is specific written consent or a court order. If there is a court order, we must let you know and provide you with an opportunity to object.

In all other circumstances, we will ask for your consent to release your information outside of our program. Instances where we may share information with your consent:

- When you ask us in writing to share your information;
- When you consent to allow us to share information about you outside of our program for all future treatment, payment, and healthcare operations purposes. Organizations who would receive your information for these purposes are required by law or contract to protect your information as required by Federal law protecting SUD information or by HIPAA. Recipients who are required to protect your information as required by HIPAA may share your information only as allowed by HIPAA except that they may not re-disclose information for civil, criminal, administrative, and legislative proceedings against you.

If you consent to our sharing your information, you can change your mind and ask us not to at any time by letting us know in writing. If you change your mind, we will stop any future sharing of your information but will be unable to stop any information that has already been released.

If you have a concern or question about this notice or your privacy you may contact the Privacy Officer whose contact information is below. In addition, you have a right to file a complaint to the Secretary of the Department of Health and Human Services. For directions on how to contact the Secretary, please contact the Privacy Officer. You will not be retaliated against for filing a complaint.

**The Research Foundation for SUNY Privacy Officer**

**Kathleen Caggiano-Siino**

Phone: 518-434-7132

Address: 35 State Street Albany, NY 12207