



## Notice of Privacy Practices

This notice describes how your child's health information (namely, your child's health records) may be used and disclosed and how you can get access to this information.

### Uses and Disclosures of Your child's Health Information

Medical Record Law allows School District of Beloit (SDB) to use or disclose your child's health information without your specific permission only under certain conditions or circumstances. Following are descriptions of those conditions and circumstances.

- **Treatment:** SDB may use healthcare information about your child to provide them with health treatment or services, to coordinate or manage your child's health care services, or to facilitate consultation or referral as part of your child's treatment.

For example, SDB may disclose your child's health information to doctors, nurses, or other health providers who are involved in taking care of them. Providers involved in your child's treatment will need access to your child's health information to determine if they have any conditions or clinical history that could affect your child's treatment. SDB staff may also share your child's health information with each other in order to coordinate the evaluation, diagnosis and treatment of your child's condition.

- **Payment:** SDB may use and disclose your child's health information to your child's insurance company or other third parties as required for you to obtain reimbursement for claims you may file to recover costs of care at SDB.

For example, SDB may need to give your child's insurer information about your child's treatment so they can reimburse you. SDB may also tell your child's health insurer or HMO about a treatment they are going to receive in order to obtain prior approval or to determine whether your child's plan will cover the treatment. When you charge your child's care to their billing, we provide only the minimum necessary, such as your child's name, ID number, date, and amount, and the designation Health Center charge.

- **Health Care Operations:** SDB may use and disclose your child's health information within SDB for operations purposes i.e., your child's record may be reviewed internally for the purpose of improving services to all SDB students. These reviews include, among other things:
  - Quality assessment and improvement activities;
  - Activities relating to improving health or reducing health care costs;
  - Developing protocols for treating certain conditions;
  - Care management: assuring full treatment has been rendered;
  - Case coordination and related functions;
  - Competence and performance reviews of staff;



- Training, accreditation, certification, licensing, credentialing, or other related activities;
- Clinical review and auditing functions, including fraud and abuse detection and compliance programs;
- Review for compliance with laws and regulations;
- Business or program planning and development;
- Internal grievance resolution;
- Business management and general administrative activities; and
- Creating reports using de-identified health information (i.e., your child's name is removed and a data base formed providing aggregate information for the purpose of describing to funding sources and others the scope and type of services provided by SDB.

Following are additional examples of what is included under health operations:

- We use your child's health information to review our treatment and services and to evaluate the performance of our staff in caring for you;
- We may combine your child's health information about many SDB patients or counseling clients to decide what additional services SDB should offer, what services are not needed, and to study the safety and effectiveness of treatments;
- We may disclose your child's health information to doctors, nurses, and other SDB staff for staff education or care planning purposes;
- We may compare aggregate, de-identified health information at SDB with aggregate health information obtained from student health services at other school districts;
- We may gather de-identified health information so that researchers can use it to study health care and health care delivery without learning the identity of specific individuals;
- We may access your child's healthcare record in order to give you a reminder call of your child's medication status;
- We may review your child's healthcare record in order to recommend possible treatment options or alternatives that may be of interest to you.
- We may review your child's health-care record to determine your child's possible eligibility for certain health-related benefits or services;
- In the event of an urgent medical problem or life-threatening condition, SDB may take measures designed to protect your child's well-being and safety and that of



others. This may include notifying a listed contact friend, partner, or family member to assist in your child's care.

- For gathering health information, we make calls to you in order to assure we have the most up to date information. The message we leave will give only the first name of the caller, phone number, and message to call back the health office. It is possible that, despite our best efforts, another party might listen to our message, call the number we give, and ascertain that your child is receiving a service at SDB.

Medical Record Law allows SDB to use or disclose your child's health information without your consent or authorization for certain functions and activities described below:

- **Public Health Risks:** SDB may disclose your child's medical records for public health activities, including:
  - To prevent or control disease, injury, or disability, to report births and deaths, and for public health surveillance or intervention;
  - To report to the FDA adverse events or product defects, to track products, to enable product recalls, or to conduct post-market surveillance as required by the FDA;
  - To notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition;
  - To enable an employer to facilitate workplace medical surveillance as required by law.
  - To enable International Child Services to protect the health and safety of the SDB district by requiring tuberculin tests or other health tests of international students matriculating in the SDB district.
- **Victims of Abuse, Neglect, or Domestic Violence:** If your child has been a victim of abuse, neglect, or domestic violence, SDB may make this disclosure to the appropriate governmental authority as required or permitted by federal, state, or local law.
- **Health Oversight Activities:** SDB may disclose your child's health information to a health oversight agency for activities authorized by law, including audits, investigations, inspections, licensure, or disciplinary activities, and other similar proceedings. SDB may not disclose your child's health information if they are subject of an investigation that is not directly related to your child's receipt of health care or public benefits.
- **Judicial and Administrative Proceedings:** As permitted or required by state or federal law, SDB may disclose your child's health information in response to a court order.
- **Law Enforcement:** If we determine that a child's condition is such that they represent a substantial probability of serious harm to self or others, we may, per Wisconsin law,



contact the police and request an emergency detention or other action to protect the safety of your child or others.

- **Coroners and Medical Examiners:** SDB may disclose protected health information to a coroner or medical examiner to identify a deceased person or determine the cause of death.
- **Serious Risk of Harm:** If there is a serious risk of harm to your child's health or safety, or to the health or safety of another, SDB may use and disclose information from your child's clinical record for the purpose of preventing such harm when, in the judgment of the clinician, the risk is unlikely to be reasonably reduced or managed through clinical care.
- **Specialized Government Functions:** Medical Record Law authorizes SDB to use or disclose your child's medical records for certain specific legal purposes, such as for reporting communicable diseases as required under public health laws. In accordance with the Patriot Act, we may be required by court order to disclose your child's health information to authorized federal officials who are conducting national security and intelligence activities or providing protective services to the President or other important officials. By law we cannot reveal when we have disclosed such information to the government.

#### **AUTHORIZATION TO USE OR DISCLOSE MEDICAL RECORDS**

Other uses and disclosures of medical records not covered by this notice or the laws that apply to SDB will be made only with your authorization. If you authorize SDB to use or disclose your child's medical records, you may revoke that authorization at any time by giving us written notice. If you revoke your child's authorization, SDB will no longer use or disclose your child's medical records as specified by the revoked authorization.

#### **YOUR CHILD'S RIGHTS REGARDING YOUR CHILD'S MEDICAL RECORDS**

You have the following rights regarding medical records that SDB maintains for you:

- **Right to Request Restrictions:** You have the right to request restrictions or limitations on our uses or disclosures of your child's health information (medical records) for purposes of treatment, payment, or health care operations. You also have the right to request that we limit our disclosure of your child's medical records to someone who is involved in your child's care or payment for your child's care.

However, SDB is not required to agree to your request. If we agree, we will comply with your request unless the information is needed to provide for your child's care and safety or that of others. In your request, please tell the director 1) what information you want to limit; 2) whether you want to limit its use, disclosure, or both; and 3) to whom you want the limits to apply.

- **Right to Request Mode of Communication:** You have the right to request that SDB communicate with you about medical matters through specific channels, that is, in a certain way or at a certain location. For example, you can ask that we only contact you at work, or only at home, or only by mail.



Your request for mode of communication should be made in writing to SDB. We will not ask you the reason for your request and will attempt to accommodate all reasonable requests.

- **Right to Inspect and Copy:** You have the right to inspect and copy your child's medical records. However, pending further clarification of federal regulations, Counseling Services may restrict your child's access to mental health records during your child's treatment, except for information about your child's medications or somatic treatment. Upon completion of your child's mental health treatment, you have the same right of access to your child's mental health records as you do to your child's regular medical records.

To request inspection or copying of your child's records, you should make your request in writing utilizing our HIPAA/FERPA release form. Please note that a request to inspect your child's medical records means that you may examine them during working hours at a mutually convenient time and place within the District Administration Building or one of our designated school buildings if appropriate. If you request a copy of the information, SDB may charge a reasonable fee for the cost of copying, mailing, or other supplies associated with your child's request. SDB may deny your request to inspect and copy in certain circumstances.

- **Right to Amend:** If, in your opinion, your child's medical records are incorrect or incomplete, you may request that SDB amend your child's records. You have the right to request an amendment for as long as the information is kept by SDB.

Your child's request must give the reasons for the amendment. SDB may deny your request for an amendment if it is not in writing or does not include a reason. SDB may also deny your request for amendment if it covers medical records that:

- Were not created by SDB;
- The person who actually created the information is no longer available to make the amendment;
- Are not part of the medical records kept by or for SDB;
- Are not part of the information which you would be permitted to inspect and copy, as discussed above;

SDB will incorporate into your child's record a statement written and signed by you specifying your clarifications. Your statement will become a permanent part of your child's record.

- **Right to an Accounting of Disclosures:** You have the right to request an accounting of certain disclosures of your child's medical records by SDB.

A request for this accounting of disclosures should be made in writing to SDB. Your request must specify a time period, which may not be longer than six years. Your child's request for accounting of disclosures should indicate in what form you want to receive that information (e.g. by phone, mail).



**Right to a Paper Copy of This Notice:** You have the right to a paper copy of this Notice at any time, even if you previously agreed to receive this Notice electronically. To obtain a paper copy of this notice, please contact the Pupil Services Administrator Secretary.

#### **AMENDMENTS TO THIS NOTICE**

SDB reserves the right to amend this Notice at any time. When amendments are made, SDB reserves the right to make the changes effective for medical records held by SDB at the time the amendment is made as well as any medical records SDB may receive or create in the future.

SDB will post a copy of the current notice in on its website.

#### **COMPLAINTS**

If you believe your child's privacy rights have been violated, you may file a written complaint with SDB.

You will not be intimidated, threatened, coerced, discriminated against, or otherwise retaliated against for filing a complaint.

#### **CONTACT PERSON**

The SDB contact person for issues regarding patient privacy and Medical Record Law is the Director of School Health. The contact phone number is (608)361-4024.

**You will receive initial response within 10 working days of your child's contact.**