GEORGIA DEPARTMENT
OF COMMUNITY HEALTH

Brian P. Kemp, Governor **Russel Carlson, Commissioner**

2 Martin Luther King Jr. Drive SE, East Tower | Atlanta, GA 30334 | 404-656-4507 | www.dch.georgia.gov

PeachCare for Kids®

Georgia Department of Community Health 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.

PEACHCARE FOR KIDS® PRIVACY PROMISE TO YOU

We at the Georgia Department of Community Health (DCH) understand that health information about you and your family is private. We will protect your information. This notice tells you about your information privacy rights in the PeachCare for Kids® program.

The privacy practices described in this notice will be effective August 29, 2003.

By law, PeachCare for Kids® must use and disclose your child's medical information to provide information:

- To you or to someone who has the legal right to act for you or your child
- To the Secretary of the U.S. Department of Health and Human Services, if necessary
- When required by law

YOUR CHILD'S MEDICAL INFORMATION RIGHTS

You have the following rights about your child's medical information:

- You have the right to see and have a copy of your child's health information held by PeachCare for Kids®. Exceptions are psychotherapy notes and information that is needed for a legal action relating to DCH.
- You have the right to ask DCH to correct your child's medical information if you think that it is wrong. DCH may deny your request in some cases.
- You have the right to ask for a copy of disclosures that DCH has made of your child's medical information. The list would not include disclosures to you or to your personal representative, or for payment for your child's health care, or for PeachCare for Kids® administration.

- You have the right to ask for restrictions on some uses or disclosures of your child's health information. DCH is not required to meet your request.
- You have the right to ask for DCH to contact you about your child's health in a way or at a place that will help you keep your child's information private.
- You have the right to be notified following a breach of unsecured protected health information.
- You have the right to a paper copy of this notice. You may ask for another copy of this notice, or you may get a copy from the DCH Web site at http://dch.georgia.gov/hipaa-privacy-notices
- *Note: These rights may be limited by Georgia law or by court orders.*

PRIVACY LAW'S REQUIREMENTS

DCH is required by law to:

- Maintain the privacy of your child's medical information
- Give you this notice of DCH's legal duties and privacy practices
- Follow the terms of this notice
- Not use or disclose your child's medical information without your written authorization, except for the reasons in this notice. You may take away your authorization in writing at any time, except for information that was already disclosed.
- Never disclose psychotherapy notes, use and disclose protected health information for marketing purposes, and/or make any disclosures that constitute a sale of protected health information without your written authorization to do so.

DCH may change its privacy practices. We will provide a new notice to you if there is a material change in our privacy practices. We will post the new notice on the DCH Web site at http://dch.georgia.gov/hipaa-privacy-notices

HOW DCH USES AND DISCLOSES HEALTH CARE INFORMATION

PeachCare for Kids® contracts with other agencies and some private companies. We may disclose some or all your child's information to the other agency or company so that they can do the job we have asked them to do. To protect your child's information, PeachCare for Kids® requires the other agency or company to safeguard the information.
Below are ways that we may use and disclose your child's health information:

For Payment: We may use and disclose information about your child so that we can pay for the child's health care. When your child receives medical care, the child's health care provider sends a claim to PeachCare for Kids® for payment. The claim includes information that identifies your child, as well as your child's diagnoses and treatments.

For Medical Treatment: We may use or disclose information about your child to ensure that she or he receives needed medical care. We may send you reminders of medical appointments.

To Operate the PeachCare for Kids® Program: We may use or disclose information about your child to manage the PeachCare for Kids® program and be sure that your child receives quality care. We may contract with a company that reviews health records to check on the quality of your child's care.

To Conduct Outreach, Enrollment, Care Coordination, and Case Management: We may share your child's information with other government agencies that may provide public benefits or services to your child. For example, some of your child's information may be shared with a Medicaid Care Management Organization (CMO) for case management.

To Keep You Informed: We may mail information to you about your child's health. Examples are information about managing a disease and appointment reminders.

For Overseeing Health Care Providers: We may disclose information about you to the government agencies that license and inspect medical facilities, such as hospitals.

As Required by Law: We will disclose information about your child when required by law or by court order.

For the Health Information Exchange: Medicaid, as a payer of Medicaid claims, is a member of the Georgia Health Information Network, Inc. ("GaHIN"). GaHIN is the statewide health information exchange network through which Medicaid, its member affiliates, and other members and their member affiliates , securely share and access medical information in accordance with applicable state and federal laws and regulations. This exchange of information allows Medicaid Providers to provide you with access to better treatment and coordination of healthcare services. GaHIN has established Network Operating Policies and Technical Requirements, which members and member affiliates of the GaHIN must meet, to ensure the confidentiality and integrity of data.

FOR MORE INFORMATION OR TO REPORT A PRIVACY PROBLEM

If you believe your child's privacy rights have been violated:

- You may file a complaint with PeachCare for Kids® by calling the Member Inquiry Unit at 770-325-2331 (in the Atlanta area) or 1-866-211-0950 (outside Atlanta)
- You may file a complaint with the Georgia Department of Community Health by writing to:

Georgia Department of Community Health
Privacy Officer, Office of General Counsel
2 Martin Luther King Jr Drive, SE

East Tower, 18th Floor
Atlanta, Georgia 30334

- You may also file a complaint with the Health and Human Services' (HHS) Office for Civil Rights (OCR) by writing to:

U.S. Department of Health & Human Services
Office for Civil Rights, Region IV
61 Forsyth Street SW, Suite 3B70
Atlanta, GA 30303-8909

OR

By filing a complaint online using HHS/OCR's secure complaint portal.

Information available at:

https://www.hhs.gov/hipaa/filing-a-complaint/index.html

There will be no retaliation for filing a complaint.

If you have questions about your child's health or health care services, you should contact your child's health care provider (doctor, hospital, or others).