



## Bethany Christian Services Notice of Client Rights, Privacy, and HIPAA Privacy Practices

This notice contains information related to the rights of clients and families working with Bethany Christian Services and its subsidiaries (Bethany) with respect to Bethany's services and privacy practices. For the purposes of this notice, "Bethany Christian Services," "Bethany," "we," or "us" refers to offices and facilities operated by Bethany Christian Services, Bethany Christian Services USA, LLC, and Bethany Christian Services Global, LLC. All Bethany Christian Services staff, contractors and other personnel in all of our facilities and offices will follow the terms of this notice. This notice is effective as of April 20, 2020.

**Please review this notice carefully** to ensure you understand your rights and our responsibilities regarding your information. You may ask for a paper copy of this notice at any time, even if you have received this notice electronically, and we will promptly provide a copy for you.

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### Notice of Client Rights (page 2)

This section describes your general rights as a client or family participating in services with Bethany.

### Notice of General Privacy Practices (pages 2-3)

This section describes our general privacy practices regarding the personal information we collect. It applies to all clients and families receiving any services from Bethany.

### HIPAA Notice of Privacy Practices for Health Information (pages 4-5)

In addition to our general privacy practices and obligations, this section specifically addresses the rights of our clients and families related to the health information we collect that is covered under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The notice provides information on:

1. Your rights related to your protected health information,
2. Your choices related to your protected health information,
3. The way we use and disclose your protected health information, and
4. Our responsibilities related to your protected health information.

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### Changes

We can change the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available upon request, in our offices, and on our website.

### Questions and Additional Information

If you have questions or concerns about this notice or your rights hereunder, if you would like additional information about our privacy practices, or if you disagree with a decision we made about access to your records, you may contact Bethany at:

The Branch Director at your local office                      or

Janelle Beimers, Privacy Officer  
Bethany Christian Services, PO Box 294  
Grand Rapids, MI 49501-0294  
(616) 965-8001

### Complaints

If you feel we have violated your rights under this Agreement, you can contact us using the information provided above. You can also file a HIPAA complaint with the U.S. Department of Health & Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue S.W., Washington, D.C. 20201, visiting [www.hhs.gov/ocr/privacy/hipaa/complaints/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/), or calling 877-696-6775.

You will not lose the opportunity for services and we will not otherwise penalize you if you file a complaint.

## **Notice of Client Rights**

**As a service recipient of Bethany Christian Services, you have the right to:**

- Be informed of your rights and responsibilities related to the personal information Bethany collects.
- Be provided fair and equitable treatment in a non-discriminatory and non-coercive manner, to be treated with dignity and respect, and to receive professional, courteous service, including consistent enforcement of program rules and expectations.
- Receive services that are respectful of, and responsive to, your cultural and linguistic differences and visual, auditory, and motor abilities.
- Voluntarily withdraw from service and communications at any time.
- Receive referrals for services as needed.
- Be given enough information to make informed decisions, including benefits and risks, and participate in decisions about services provided.
- Work with your service provider in developing an individualized plan of service that is best suited to your needs.
- Receive a full disclosure of requirements, including fees, timeframes for services, expectations for you and for Bethany, state and federal government requirements, hours of service, and factors that can result in discharge or termination of services.
- Restrict access to your personal information.
- Have your case records confidentially held by Bethany and not have your communications with Bethany staff be released to another party without your written consent, except where allowed by state and federal law and Bethany protocol.
- Request in writing that your information to be shared with other parties, using a Release of Information Authorization (please contact us to obtain this form).
- Request to review a copy of the personal information Bethany has about you (note that Bethany may deny your request in some cases, including if we determine that the information would endanger yourself or others, or identify a confidential source).
- Not be photographed, recorded, or videotaped without your consent.
- Know that Bethany will abide by all applicable state and federal laws.
- Know that, as child welfare and health care providers and professionals, we are mandatory reporters and must report threat of harm to self or others to the proper authorities.
- File a complaint or grievance and receive a fair, timely and non-judgmental grievance mediation process. Questions on the grievance process can be directed to the contacts set forth on page 1.

## **General Notice of Privacy Practices**

This notice describes how personal information that Bethany has about you may be used and disclosed, and how you can get access to this information. **Please review it carefully.**

**1. To what information does this notice apply?** This notice applies to the personal information Bethany may have about you as a result of all the services it provides. This notice covers the ways in which we may use and disclose information about you as well as your rights and certain obligations we have regarding the use and disclosure of your information. Please see our HIPAA Notice of Privacy Practices for additional information related to Bethany's use and disclosure of your health information.

**2. What information might Bethany have about me?** When Bethany provides services to you or otherwise interacts with you, it may collect certain personal information about you. This information may include your contact information, information about you and your family, or a description of the services you have received. We receive information provided to us directly by you, for example, when you apply to our foster care or adoption program. We may also receive information about you from third parties, such as background checks and credit checks, which we request when you apply for or enroll in some of our programs or services.

**3. How does Bethany use and share my information?** Bethany uses and shares your information for the following purposes:

- To provide our services and other support that you request.
- To provide you information about our services that you request to receive and that we believe you may be interested in. You will always be given the opportunity to unsubscribe or opt out of receiving further marketing emails and texts by following the unsubscribe instructions in the email or text.
- To share with our business partners with whom we work to help us provide services.
- To comply with our record retention policies and procedures.
- To obtain and maintain our accreditation.
- To report as required by contractors or governmental oversight bodies.
- As required by law or to protect our business interests, including to prevent fraud, comply with law or cooperate with law enforcement activity or other governmental request, respond to subpoenas or court orders and administrative agency requests, enforce our policies, and protect the rights, property and safety of our business and of others.

**4. How long does Bethany retain my information?** We retain your personal information while you are a client. We also retain your information even if you are no longer a client if reasonably necessary to comply with our legal obligations (including law enforcement requests), meet regulatory requirements, resolve disputes, maintain security, prevent fraud and abuse, enforce our rights, or fulfill your request to “unsubscribe” from messages from us. We will destroy your personal information when it is no longer needed for the foregoing purposes or we remove your personal information to render it anonymous. We keep information provided to us for as long as we believe necessary for our business purposes and as permitted by applicable law.

**5. What are Bethany’s responsibilities related to your personal information?** Bethany will:

- Only use the information that it collects about you for the purposes for which it is collected and consistent with this notice.
- Follow state law and contract requirements that may require us to notify you of any breaches of confidential information. Notice to you will be consistent with the guidelines for where you live, and may be sent via first class mail, email, or another method.
- Use commercially reasonable means to protect the integrity of and limit access to your personal information, including by implementing appropriate security safeguards designed to protect your information.
- Not sell your information without your prior written authorization. The authorization will disclose that we will receive compensation for your information if you authorize us to sell it, and we will stop any future sales of your information if you revoke that authorization.

**6. What are my rights related to my information?** See our Notice of Client Rights section, above.

**7. Marketing Communications.** Bethany may contact you to market products or services provided by Bethany, encourage you to maintain a healthy lifestyle and get recommended tests, provide you with small gifts, tell you about government sponsored health programs, provide suggestions for opportunities for advocacy, or encourage you to purchase products or services provided by others. We will not otherwise use or disclose your information for marketing purposes without your prior written authorization which you may revoke at any time. You may request to be removed from our marketing lists and we will stop any future marketing activity if you request.

**8. Email and Text Communication.** With your consent, Bethany may communicate with you electronically, such as through email or via text message, as long as we follow reasonable safeguards to protect your information (i.e. encrypting emails, sending a confirmation email before transmitting confidential information). Some of the reasons we may communicate with you include coordinating care, sending satisfaction surveys, or other reasons related to your services. We will need your consent to send you email and text message communication, and you have the right to revoke that consent at any time in writing. Your choice as to whether to receive text and/or email communications will not affect your ability to obtain continued or future services through Bethany but it may hinder our ability to communicate with you. If you choose to give consent to email and text communications, you should consider the following:

- In a medical emergency, **DO NOT USE EMAIL – CALL 911 IMMEDIATELY.** Urgent problems that are not medical emergencies should not be emailed, but should be related to us by phone, including text messages.
- To discuss complex and/or sensitive situations, you should speak with your Bethany staff person in person or via phone whenever possible, rather than sending emails or text messages.
- Emails and text messages may be filed electronically into the record that we keep about the services we provide to you and may be used as evidence in court.
- Standard text messaging rates may apply to any text messages sent to or received from Bethany.
- You can opt-out of receiving text and/or email messages in the future.
- Some risks involved in email and text message communication include, but are not limited to:
  - Individuals who have access to devices on which messages are downloaded or to email or text message accounts could view the messages that Bethany sends to you.
  - Senders can misaddress an email or text and send information to an undesired recipient.
  - Your email or texting service may have a right to inspect messages sent through their service and may keep backup copies, which may continue to exist even after you have deleted your copy. A copy may also continue to exist on Bethany’s system.
  - If you receive emails or texts on equipment owned by your employer, your employer may have a right to inspect emails and texts sent through its systems.
  - During transmission, emails and texts may not be encrypted and could be intercepted, altered, forwarded or used without authorization or detection.
  - Emails and texts may be used as evidence in court.
- Given the risks associated with email and text communication, use your best judgment when considering how much sensitive information to include in any email or text messages you send to Bethany.

## **HIPAA Notice of Privacy Practices**

**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.** We can change the terms of this notice and the changes will apply to all information we have about you. The new notice will be available upon request, in our office, and on our web site.

**1. To what information does this notice apply?** This notice applies to the physical and mental health information Bethany may have about you as a result of the services it provides. Bethany staff, facilities and offices may share this information with each other for treatment, payment or operations purposes (described in this notice). This notice covers the ways in which we may use and disclose health information about you and your rights and obligations we have regarding the use and disclosure of your health information. These rights and obligations are in addition to those set forth in our Notice of Client Rights and General Privacy Practices.

**2. What medical information might Bethany have about me?** Each time Bethany provides a covered service to you, we add information to your case record about the services and the care you received. This helps coordinate your care with our staff as well as with other professionals who help provide services to you. Your record is also a legal document describing the care and services you receive, and it helps us determine if we are providing appropriate services to you.

**3. What are my rights under HIPAA?** You have the right to:

*Get an electronic or paper copy of your medical record*

- To see or obtain a copy of your medical record and other health information we have about you, contact your local office or the contact provided on page 1.
- We may charge you a reasonable amount for document preparation, copies of your record, and postage.
- We will provide a copy or a summary of your health information, usually within 30 days of your request.
- There may be times when we must deny your request to see or obtain a copy of your information. Examples include a request seeking psychotherapy notes or information that would identify a confidential source, endanger yourself or others, or that is compiled in anticipation of civil, criminal, or administrative actions or proceedings.

*Ask us to limit the information we use or share*

- You may ask us to limit how we use or share your information for treatment, payment or our operations, but we do not have to agree if the information would affect your care. We will notify you if we are unable to comply with your request.
- If you pay for a service out-of-pocket in full, you can ask us not to share that information with your health insurer for payment or healthcare operations purposes.

*Choose someone to act for you*

- If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information. We will confirm the person has this authority and can act for you before we take any action.

*Request confidential communications*

- You may also ask that we send information to you in a different format (for example, home or office phone) or to a different address. If we are able and the request is reasonable, we will do so.

*Ask us to correct your medical record*

- If you think the information in your record is wrong, you may ask us to correct or add new information. Contact your local office or the contact provided on the first page of this notice for information about how to do this.
- We may deny your request, but we will notify you why in writing within 60 days.

*Get a list of those with whom we've shared information*

- You have the right to an accounting (list) of the times we've shared your health information for six years prior to the date you ask, who we shared it with, and why. This accounting will not include routine disclosures, such as those for treatment, payment, and operational activities, and disclosures you have asked us to make.
- We will provide one accounting a year for free but will charge a reasonable, cost-based fee for additional requests.

*Get a copy of this privacy notice*

- You can ask for a paper copy of this notice at any time and we will provide it promptly, even if you have agreed to receive the notice electronically.

*File a complaint if you feel your rights are violated*

- You can complain if you feel we have violated your rights by contacting us using the information on page 1.
- We will not retaliate against you for filing a complaint.

**4. How will Bethany use or share my health information?** We typically use or share your health information to treat you, bill for your services, and run our organization. For example, we may use or share your health information to:

- Determine if treatment is appropriate
- Coordinate with other professionals who are treating you
- Evaluate the quality of care you receive from us
- Bill for services you receive and get payment from health plans or other entities

- Contact you with appointment reminders
- Decide what additional services we should offer and whether certain services are not needed
- Coordinate with companies we contract with to provide services on our behalf

**5. How else can Bethany use or share my health information?** In many situations, we can use and disclose your health information without your permission. Below are additional ways we are allowed or required to share your information. We must meet many conditions in the law before we can share your information for these purposes. For more information see: [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html).

*To help with public health and safety issues, such as:*

- Preventing certain diseases
- Assisting with product recalls
- Reporting adverse reactions to medications
- Preventing serious threats or dangers to you or others
- Reporting suspected abuse, neglect, or domestic violence

*To comply with law*

- We will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we're complying with federal privacy law

*To respond to lawsuits and legal actions*

- We may share your information in response to a court or administrative order or valid subpoena or for our own legal protection

*To conduct or contribute to health research*

- We will only use your information for research when research proposals and protocols have been reviewed and approved by our Performance and Quality Improvement Committee, and we can ensure the privacy of your health information

*To address workers' compensation, law enforcement, and other government requests, such as:*

- Responding to workers' compensation claims
- For law enforcement purposes or with law enforcement officials
- With health oversight agencies for authorized activities
- For special government functions such as military, national security, and presidential protective services

*Communications regarding programs and services, such as:*

- Informing you of a health-related benefits and service of Bethany that may be of interest to you.
- Telling you about services related to your treatment, case management or care coordination, or to communicate alternatives

*Additional reasons we may share your information*

- In the event of a medical emergency
- Giving information to parents or guardians of minors
- With a coroner, medical examiner, organ procurement organization, or funeral director
- To contact you for fundraising efforts, but you can tell us not to contact you again

**6. Special requirements and additional restrictions.** In addition to the use and disclosure restrictions above, mental health services and psychotherapy notes are subject to additional protection. We will not use or disclose your psychotherapy notes without your prior written consent except for the following uses:

- Use by the therapist or case worker for your treatment
- For training our staff, students, and other trainees
- If the law requires us to disclose the information
- To the coroner or medical examiner at time of death
- In response to health oversight activities
- To appropriate authorities to avoid a serious and imminent threat to health or safety
- To defend ourselves if you sue us

When state laws impose additional restrictions on our ability to use or disclose your records, we will comply with those laws. Your local branch will have additional information about state laws.

## 7. Our responsibilities

- We are required by law to maintain the privacy and security of your protected health information.
- We will notify you promptly of any breaches that may have compromised the privacy or security of your protected health information.
- We must follow the duties and privacy practices described in this notice.
- We will not use or disclose your health information other than as described in this notice without your permission, which you may withdraw at any time. For example, we will never sell your information or use your information for marketing purposes without your consent.

For more information about this notice, visit: [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html)

1. **Notice of Client Rights**
2. **General Notice of Privacy Practices**
3. **HIPAA Notice of Privacy Practices**
4. **Consent to Receive Email and Text Messages**

### **Acknowledgement of Receipt**

By signing below, I acknowledge and agree that I have received the above documents of Bethany Christian Services, its affiliates, subsidiaries and related entities.

Client or Legal Guardian

Client or Legal Guardian

\_\_\_\_\_  
Name of client

\_\_\_\_\_  
Name of client

\_\_\_\_\_  
Name of legal guardian and relationship (if applicable)

\_\_\_\_\_  
Name of legal guardian and relationship (if applicable)

\_\_\_\_\_  
Signature of client or legal guardian

\_\_\_\_\_  
Signature of client or legal guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

#### **Email and Text Message Consent**

By initialing below, I consent to communication by text and/or email from Bethany related to its services, including communicating with my Bethany staff person, receiving survey invitations, or getting appointment reminders. I acknowledge that I have read and understand the risks listed below and understand that standard text messaging rates may apply to any text messages sent to or received from Bethany. I understand that I can opt-out of receiving text and/or email messages in the future. I understand that some of the risks involved in email and text message communication include, but are not limited to:

- Individuals who have access to devices on which I download messages or to my email or text message account could view the messages that Bethany sends to me. If I receive emails or texts on equipment owned by my employer, my employer may have a right to inspect emails and texts sent through its systems.
- Messages may not be encrypted, which means that if they are intercepted, they could be read and circulated by others.
- Senders can misaddress an email or text and send information to an undesired recipient.
- My email or texting service may have a right to inspect messages sent through their service and may keep backup copies, which may continue to exist even after I have deleted my copy. A copy may also continue to exist on Bethany's system.
- During transmission, emails and texts could be intercepted, altered, forwarded or used without authorization or detection.
- Emails and texts may be used as evidence in court.

*I consent to Bethany communicating with me via email using the email address(es) I provide to Bethany.*

\_\_\_\_\_  
*Initials*      *Initials*

*I consent to Bethany communicating with me via text messaging using the mobile phone number(s) I provide to Bethany.*

\_\_\_\_\_  
*Initials*      *Initials*

Your choice as to whether to receive text and/or email communications will not affect your ability to obtain continued or future services through Bethany, but it may hinder our ability to communicate with you.

Should a consumer not sign the acknowledgement, please list efforts to obtain the signature below: