

# South Carolina Department of Alcohol and Other Drug Abuse Services

## Notice of Privacy and Confidentiality Practices

Date of Notice: February 24, 2003  
Effective Date: February 24, 2003  
Version 1.0

**THIS NOTICE DESCRIBES HOW MEDICAL AND HEALTHCARE INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION.**

**PLEASE REVIEW IT CAREFULLY.**

If you have any questions or comments about this notice, please contact the South Carolina Department of Alcohol and Other Drug Abuse Services, 101 Business Park Blvd., Columbia, SC 29203; contact person: Dennis Nalty, (803) 896-1160.

### **1. Who Will Follow This Notice**

This notice has been published by the South Carolina Department of Alcohol and Other Drug Abuse Services. It applies to anyone who works for the South Carolina Department of Alcohol and Other Drug Abuse Services, including our employees, contractors, and volunteers.

### **2. Our Pledge to You**

As healthcare professionals, we understand that information about you and your health is sensitive and personal. We are also required by law to maintain the privacy of information about our clients that we gather and use, and to provide our clients with notices of our legal duties and privacy practices with respect to their information. We are committed to the privacy of our clients' information.

To serve clients, we need to gather, keep, and use client information. We sometimes also need to share information with other parties. This notice is intended to let you know how we use and disclose your information.

This notice is also to let you know about certain legal rights you have with respect to the information we hold about you. You have certain rights to review and copy our records of information about you. You may also request that we amend these records, and you may ask us to account for certain disclosures we may have made of information about you.

### **3. What Information Does This Notice Cover?**

This notice covers all information in our written or electronic records that concerns you, your health care, and payment for your health care. It also covers information we may have shared with other organizations to help us provide your care, get paid to provide care, or manage some of our administrative operations.

### **4. Confidentiality of Alcohol and Other Drug Abuse Client Records**

The confidentiality of alcohol and other drug abuse client records maintained by this program is protected by federal law and regulations. Generally, we may not say to a person outside the program that a client attends the program, nor can we disclose any information identifying a client as an alcohol or other drug abuser unless:

- 1) the client consents by signing a written authorization;
- 2) a court order allows the disclosure; or
- 3) the disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit, or program evaluation.

Violation of the federal law and regulations by a program is a crime. Suspected violations may be reported to our Privacy Officer or to appropriate authorities in accordance with federal regulations.

Federal law and regulations do not protect any information about a crime committed by a client either at the program or against any person who works for the program or about any threat to commit such a crime.

Federal law and regulations do not protect any information about suspected child abuse or neglect from being reported under state law to appropriate state or local authorities.

(See 42 U.S.C. 290dd-3 and 42 U.S.C. 290ee-3 for federal laws and 42 C.F.R., Part 2, for federal regulations that apply to the program.)

## **5. When Can We Use or Disclose Information About You?**

Except for certain disclosures for legal purposes described below, we can only use or disclose information about you with your written authorization.

**With your written authorization**, we can use or disclose your information for the following purposes:

- **Treatment.** We may use or disclose information about you for treatment purposes to doctors, counselors, technicians, medical students, or other individuals who work in our organization who are involved in providing health care to you. They have all signed a Confidentiality Agreement.

This is only an example, and we may use or disclose information about you to provide proper treatment to you in other ways.

Please understand that treatment may take place in open settings or in group sessions during which other clients can see and overhear your interaction with counselors, clinicians, or therapists.

- **Payment.** We may use and disclose information about you to a health plan (including Medicaid) or healthcare provider for payment activities.

For example, if you are covered by a health plan, we cannot be paid for services we provide to you unless we submit information in a claim. This might include detailed clinical information, depending on the type of plan and claim. This is only an example, and there may be many other ways in which we may use or disclose information about you in connection with payment for your care.

- **Healthcare operations.** We may use or disclose information about you for healthcare operations in connection with our organization. These activities might include audit or program-evaluation activities. You should know that all employees have signed a Confidentiality Agreement.

For example, we may wish to review the quality of care you receive to help us deliver the best care that we can. Or, we may audit our management practices so that we can become more efficient. These are only examples, and there may be other ways in which we use or disclose information about you for healthcare operations.

**Without your written authorization**, we can disclose your information for the following purposes:

- disclosures to you, the client, or your personal representative;
- disclosures to other sections or programs in the South Carolina Department of Alcohol and Other Drug Abuse Services, the state's oversight organization;
- disclosures to medical personnel in a medical emergency;
- disclosures to the appropriate governmental authority in cases of suspected child abuse;

- disclosures to qualified personnel for research (subject to specific requirements for disclosure of healthcare information for research), audit, or program-evaluation purposes;
- disclosures to respond to a court order upon a finding of good cause that meets the federal requirements for the disclosure of any alcohol or other drug abuse program records;
- disclosures to law enforcement agencies, subject to applicable legal requirements and limitations (for example, federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or other drug abuse client); and
- disclosures to your authorized superiors or other authorized federal officials if you are in the United States military, national security or intelligence, or Foreign Service.

**Only with your written authorization** will other uses and disclosures be made of healthcare information that are not covered by applicable laws or by this notice.

## **6. Your Rights Regarding Healthcare Information About You**

You have the following rights regarding healthcare information we maintain about you:

- **Right to Access.** You have the right to inspect and to obtain a copy of your own protected health information in a designated record set. The designated record set includes client records, clinical service notes, and payment information.
  - If you would like a copy or summary of your designated record set (including healthcare records), you must submit your request in writing to the South Carolina Department of Alcohol and Other Drug Abuse Services. There may be a fee for the costs of copying, mailing, or other supplies associated with your request. If you would like to access information in your designated record set, we will act on your written request within 30 days if the information is located on-site or 60 days if off-site. We may ask for up to a 30-day extension if warranted.
  - We reserve the right to deny you access to all or part of any designated record set located at the South Carolina Department of Alcohol and Other Drug Abuse Services. For example, we may deny access to psychotherapy notes or information compiled in reasonable anticipation of or for use in a civil, criminal, or administrative-action proceeding. If you are denied access to all or part of your protected health information, we will do our best to provide you with access to any other protected health information requested thereafter, excluding the protected health information for which we have grounds to deny access. The South Carolina Department of Alcohol and Other Drug Abuse Services will provide you with a written justification that describes the basis for the denial and, if applicable, a statement of your review rights and a description of how you can exercise those rights.
- **Right to Amend.** If you feel that the healthcare information that the South Carolina Department of Alcohol and Other Drug Abuse Services has about you is incorrect or incomplete, you may ask to have that information amended. You have the right to request an amendment to your healthcare information for as long as the information is maintained.
  - To request an amendment, you must:
    - 1) submit your request in writing; and
    - 2) include reasons that support your requested amendments.
  - The South Carolina Department of Alcohol and Other Drug Abuse Services will act on your request within 60 days of receipt and will provide you with further information as to the process requirements and your rights in the event that we grant or deny your request. We may ask for up to a 30-day extension if warranted.
  - Please note that your request for an amendment may be denied if it is not in writing or does not include a reason to support the request. Should you make a request to amend the

information, the South Carolina Department of Alcohol and Other Drug Abuse Services may also deny your request if you ask us to amend information that:

- 1) was not created by the South Carolina Department of Alcohol and Other Drug Abuse Services;
  - 2) is not part of the healthcare information that is maintained by or for the South Carolina Department of Alcohol and Other Drug Abuse Services;
  - 3) is not part of the information that you would be permitted to inspect and copy; or
  - 4) is accurate and complete.
- **Right to an Accounting of Disclosures.** You have the right to request an Accounting of Disclosures. This is a list of the disclosures of healthcare information that the South Carolina Department of Alcohol and Other Drug Abuse Services made about you to external organizations. This list of disclosures excludes disclosures made to you or as part of treatment, payment and healthcare operations and excludes use and disclosures for which we have a written authorization. The South Carolina Department of Alcohol and Other Drug Abuse Services will provide your requested accounting within 60 days following receipt of the request or will notify you in writing if we are unable to meet that deadline.
    - To request this list or accounting of disclosures, you must submit your request in writing to: Privacy Officer, South Carolina Department of Alcohol and Other Drug Abuse Services, 101 Business Park Boulevard, Columbia, SC 29203; telephone: (803) 896-1160. Your request must state a time period, which may not be longer than six years and may not include dates prior to April 14, 2003.
    - You are entitled to receive one accounting during a 12-month period without charge. There may be a fee for the costs of copying, mailing, or supplies for any requests for additional accountings during a 12-month period.
  - **Right to Request Restrictions.** You have the right to request a restriction or limitation on the use or disclosure of protected health information for treatment, payment or healthcare operations. If you would like additional information about your rights to request restrictions, please contact the Privacy Officer, South Carolina Department of Alcohol and Other Drug Abuse Services, 101 Business Park Boulevard, Columbia, SC 29203; telephone: (803) 896-1160. The South Carolina Department of Alcohol and Other Drug Abuse Services is not required to agree to your request.

To request restrictions, you must submit your request in writing to the Privacy Officer. In your request, you must tell us:

    - 1) what information you want to limit;
    - 2) whether you want to limit our use, disclosure, or both; and
    - 3) to whom you want the limits to apply.
  - **Right to Request Confidential Communications.** You have the right to request that the South Carolina Department of Alcohol and Other Drug Abuse Services communicate with you about personal health information in a certain way or at a certain location. Example: A client may ask a physician to communicate lab results by mail rather than by telephone.

We will accommodate to the best of our abilities all requests for such confidential communication.

- 1) To request confidential communication changes, you must submit your request in writing to: Privacy Officer, South Carolina Department of Alcohol and Other Drug Abuse Services, 101 Business Park Boulevard, Columbia, SC 29203; telephone: (803) 896-1160. We may refuse to accommodate your request if the requested accommodation is unreasonable from an administrative perspective (that it is unreasonable or difficult to do administratively) or if you have not provided information as to how payment, if applicable, will be handled or specified how or where you wish to be contacted.

## **7. Changes to This Notice**

The South Carolina Department of Alcohol and Other Drug Abuse Services reserves the right to change this notice. We reserve the right to make changes effective for personal health information we already have about you as well as any information we receive in the future. Should the privacy practices of the South Carolina Department of Alcohol and Other Drug Abuse Services change, a revised notice will be made available to you. The notice will document the effective date of the notice on the first page.

## **8. Complaints**

All complaints must be submitted to the South Carolina Department of Alcohol and Other Drug Abuse Services in writing. To file a complaint with the South Carolina Department of Alcohol and Other Drug Abuse Services, submit your complaint in writing to: Privacy Officer, South Carolina Department of Alcohol and Other Drug Abuse Services, 101 Business Park Boulevard, Columbia, SC 29203. You will not be penalized for filing a complaint.

If you believe your privacy rights have been violated, you may file a complaint with the Privacy Officer for the South Carolina Department of Alcohol and Other Drug Abuse Services or with the Office for Civil Rights. The address of the OCR National Headquarters is as follows:

Richard Campanelli  
Director  
Office for Civil Rights  
U.S. Department of Health and Human Services  
200 Independence Avenue, SW  
Room 509F HHH Building  
Washington, DC 20201

The address for the Privacy Officer is as follows:

Dennis Nalty  
Privacy Officer  
South Carolina Department of Alcohol and Other Drug Abuse Services  
101 Business Park Boulevard  
Columbia, SC 29203

## **9. Other Uses of Healthcare Information**

Other uses and disclosures of healthcare information not covered by applicable laws or by this notice will be made only with your written permission (called an "Authorization"). If you grant permission to the South Carolina Department of Alcohol and Other Drug Abuse Services to use or disclose healthcare information about you, you may revoke that permission, in writing, at any time. If you revoke your permission, the South Carolina Department of Alcohol and Other Drug Abuse Services will no longer use or disclose healthcare information about you for the reasons covered by your written permission. Please understand that the South Carolina Department of Alcohol and Other Drug Abuse Services is unable to take back any disclosures that have already been made with your permission.

## Acknowledgment of Receipt of Privacy Notice

The South Carolina Department of Alcohol and Other Drug Abuse Services has the responsibility to:

- maintain the privacy of an individual's health information;
- provide individuals with a notice as to the department's legal duties and privacy practices with respect to information it collects and maintains about the individual;
- abide by the terms of this notice;
- notify the individual if the department is unable to agree to a requested restriction; and
- accommodate reasonable requests the individual may have to communicate health information by alternative means or at alternative locations.

The South Carolina Department of Alcohol and Other Drug Abuse Services will not use or disclose the individual's health information without his or her consent and written authorization, except as described in the notice.

The South Carolina Department of Alcohol and Other Drug Abuse Services reserves the right to change its practices and to make the new provisions effective for all Protected Health Information the department maintains. Should the information practices of the South Carolina Department of Alcohol and Other Drug Abuse Services change, a revised notice will be made available to the individual.

I certify that I have received a copy of Notice of Privacy and Confidentiality Practices Version 1.0.

Name of Client	
Signature of Client	Date

Name of Personal Representative <i>(if applicable)</i>	
Relationship of Personal Representative <i>(if applicable)</i>	
Signature of Personal Representative <i>(if applicable)</i>	Date

# County Privacy Officers

**Abbeville**

Cornerstone  
Ms. Joyce Dilleshaw  
(864) 227-1001  
jdilleshaw@earthlink.net

**Aiken**

Aiken Center  
Mr. Herb Mattocks  
(803) 649-1900  
mattocks@aikencenter.org

**Allendale**

New Life Center  
Mr. James Holley  
(803) 943-2800  
jamholley@earthlink.net

**Anderson**

Anderson/Oconee Behavioral  
Health Services  
Ms. Kathy Parris  
(864) 260-4168  
aobhskparris@carol.net

**Bamberg**

Dawn Center  
Ms. Sandra Bolton  
(803) 536-4900  
s Bolton@tccada.state.sc.us

**Barnwell**

Axis I Center of Barnwell  
Ms. Sandra Baxter  
(803) 541-1245  
sbaxter@axis1.org

**Beaufort**

Beaufort County Alcohol and  
Drug Abuse Department  
Mr. Douglas H. "Bud" Boyne  
(843) 470-4550  
budb@mail.co.beaufort.sc.us

**Berkeley**

Ernest E. Kennedy Center  
Mr. Clay Sadler  
(843) 719-3007  
ekcenter@homexpressway.net

**Calhoun**

Dawn Center  
Ms. Sandra Bolton  
(803) 536-4900  
s Bolton@tccada.state.sc.us

**Charleston**

Charleston Center  
Ms. Lynn McKnight  
(843) 958-3460  
ljones@charlestoncounty.org

**Cherokee**

Cherokee County Commission on  
Alcohol and Drug Abuse  
Ms. Bonnie Shannon  
(864) 487-2721  
cccadabs@bellsouth.net

**Chester**

Hazel Pittman Center  
Ms. Tanya Reeves  
(803) 377-8111  
tanyareeves@hotmail.com

**Chesterfield**

Alpha Center  
Ms. Tina L. Griggs  
(803) 432-6902  
tlg\_happy@yahoo.com

**Clarendon**

Clarendon Behavioral Health  
Services  
Ms. Lori Rowe  
(803) 435-2121  
cccada@ftc-i.net

**Colleton**

Colleton County Commission on  
Alcohol and Drug Abuse  
Ms. Bonnie Fargnoli  
(843) 538-4343  
bfargnoli@colletonadac.com

**Darlington**

Rubicon Inc.  
Mr. Ernie Kirkland  
(843) 332-4156  
ekirkkrub@bellsouth.net

**Dillon**

Marion/Dillon County Commission  
on Alcohol and Drug Abuse  
Ms. Lois Miller  
(843) 423-8292  
ltm\_maod@bellsouth.net

**Dorchester**

Dorchester Alcohol and  
Drug Commission  
Ms. Cathy Jaggars  
(843) 871-4790  
cjaggars@dadc.org

**Edgefield**

Cornerstone  
Ms. Joyce Dilleshaw  
(864) 227-1001  
jdilleshaw@earthlink.net

**Fairfield**

Fairfield Behavioral Health  
Services  
Ms. Eliza Boulware  
(803) 635-2335  
fcsac@chestertel.com

**Florence**

Circle Park Behavioral  
Health Services  
Mr. Paul Pittman  
(843) 665-9349  
paul@circlepark.com

**Georgetown**

Georgetown County Alcohol and  
Drug Abuse Commission  
Ms. Ruthena Tucker  
(843) 546-6081  
rtucker@gcadac.org

**Greenville**

Greenville County Commission on  
Alcohol and Drug Abuse  
Ms. Lisa Deer  
(864) 467-3742  
ldeer@greenvillecounty.org

**Greenwood**

Cornerstone  
Ms. Joyce Dilleshaw  
(864) 227-1001  
jdilleshaw@earthlink.net

**Hampton**

New Life Center  
Mr. James Holley  
(803) 943-2800  
jamholley@earthlink.net

**Horry**

Shoreline Behavioral Health  
Services  
Ms. Melissa Norris  
(843) 365-8884  
melissa@shorelinebhs.org

**Jasper**

New Life Center  
Mr. James Holley  
(803) 943-2800  
jamholley@earthlink.net

**Kershaw**

Alpha Center  
Ms. Tina L. Griggs  
(803) 432-6902  
tlg\_happy@yahoo.com

**Lancaster**

Counseling Services of Lancaster  
Ms. Donna Hercheck  
(803) 285-6911  
dhercheckcsl@infoave.net

**Laurens**

GateWay Counseling Center  
Ms. Luvenia Johnson  
(864) 833-6500  
ljohnson@gatewaycounseling.org

**Lee**

The Lee Center Family Counseling  
and Addiction Services  
Ms. Tina L. Griggs  
(803) 432-6902  
tlg\_happy@yahoo.com

**Lexington**

LRADAC, The Behavioral Health  
Center of The Midlands  
Ms. Lynnie Leopard  
(803) 733-1390  
lleopard@lradac.org

**Marion**

Marion/Dillon County Commission  
on Alcohol and Drug Abuse  
Ms. Lois Miller  
(843) 423-8292  
ltm\_maod@bellsouth.net

**Marlboro**

Marion/Dillon County Commission  
on Alcohol and Drug Abuse –  
Marlboro Office  
Ms. Lois Miller  
(843) 423-8292  
ltm\_maod@bellsouth.net

**McCormick**

Cornerstone  
Ms. Joyce Dilleshaw  
(864) 227-1001  
jdilleshaw@earthlink.net

**Newberry**

Westview Behavioral Health  
Services  
Ms. Jenny Bouknight  
(803) 276-5690  
jbouknight@westviewbehavioral.org

**Oconee**

Anderson/Oconee Behavioral  
Health Services  
Ms. Kathy Parris  
(864) 260-4168  
aobhskparris@carol.net

**Orangeburg**

Dawn Center  
Ms. Sandra Bolton  
(803) 536-4900  
s Bolton@tccada.state.sc.us

**Pickens**

Behavioral Health Services  
of Pickens County  
Mr. Bob Hiott  
(864) 898-5800  
rehiott@hotmail.com

**Richland**

LRADAC, The Behavioral Health  
Center of The Midlands  
Ms. Lynnie Leopard  
(803) 733-1390  
lleopard@lradac.org

**Saluda**

Saluda Behavioral Health System  
Mr. Dan Neel  
(864) 445-2968  
sbhs01@earthlink.net

**Spartanburg**

Spartanburg Alcohol and Drug  
Abuse Commission  
Ms. Maria Bates  
(864) 582-7588  
maria@sadac.org

**Sumter**

Sumter County Commission  
on Alcohol and Drug Abuse  
Mr. Eugene Baten  
(803) 775-6815  
sccada@ftc-i.net

**Union**

Union County Commission  
on Alcohol and Drug Abuse  
Ms. Jackie Peake-Dawkins  
(864) 429-1656  
jpdawkins@uccada.org

**Williamsburg**

Williamsburg County Department  
on Alcohol and Drug Abuse  
Ms. Jackie Graham  
(843) 355-9113  
grahamjs@ftc-i.net

**York**

Keystone Substance Abuse  
Services  
Ms. Mary Jane McGill  
(803) 324-1800  
mjmcgill@keystonead.org