

Effective: July 9, 2018

INFORMATION PRACTICE ACT – NOTICE OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW YOUR PERSONAL INFORMATION MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION.

PLEASE REVIEW IT CAREFULLY.

If you have any questions about this notice, please contact your provider or call the Kings View Privacy Officer (559) 256-0100.

Our Pledge and Responsibility

We understand personal information and related services about you is private and we are strongly committed to protecting your confidential information. We create a record of the services you receive at this agency so we can provide you with quality services and comply with certain legal requirements. This notice applies to all the records generated by this program, its providers and workforce. It also applies to any records we may have received from your other providers. Other providers may have different policies or notices regarding their use and disclosure of personal information created at their offices or facilities.

This notice will tell you about the ways in which we may legally use and disclose your private personal information. We also describe your rights and certain obligations we have regarding the use and disclosure of your personal information.

We are required by the California Information Practices Act to:

- Only collect personal information as necessary and relevant to providing you services;
- Make sure all personal identifying information is kept private (with certain exceptions);
- Give you this notice of our legal duties and privacy practices with respect to personal information maintained about you; and
- To follow the terms of the notice currently in effect.

Authority to Collect and Maintain Personal Information

The Mental Health Services Act (MHSA), Title 9 Rehabilitation and Development Services, Division 1, Chapter 14 authorizes Kings View to collect personal information from individuals in order to provide MHSA-funded programs. Kings View MHSA programs collect and maintain only the minimum necessary personal information about you relevant and necessary to providing you services. In general, Kings View may collect and retain some or all the following:

- Your name, address, phone, birthdate, email, etc. necessary to contact you.
- Information needed to determine program eligibility, health/mental health history, number and types of services received, and progress and outcome information. For example, educational history, past grades,

school of attendance, current report cards and school graduation status may be collected by a program aimed at preventing high school dropout.

- Financial information required to collect fees and/or bill third party payors.
- Document attendance, types and number of services provided, outcome data or other information as required by funders and oversight agencies to monitor and ensure the quality and effectiveness of the program.

Kings View ONLY collects Information necessary to provide quality services and comply with government regulations. Your participation in the program and submission of personal information is totally voluntary. However, failure to provide the requested information may result in denying you admission to the program. In this event, Kings View will assist you find alternative services.

How We May Use and Disclose Your Personal Information

The following categories describe different ways we use and disclose private personal information. For each category of uses or disclosures we will explain what we mean and give some examples. Not every use or disclosure in a category will be listed. However, all the ways we are permitted to use and disclose information will fall within one of the categories.

- **Disclosures At your Request.** We may disclose information to another person or entity when requested by you. This disclosure at your request requires your written authorization.
- **To Provide Services.** We will use your personal information to provide you services. Only staff with a “need to know” your information to do their job may access your records. And that access is limited to that which is relevant and necessary to provide you services you’ve requested.
- **For Payment.** We may use and disclose information about you to bill for the services you receive here and to collect payment from you, an insurance company, or a third party. Information provided is limited to the minimum necessary to obtain payment for services rendered.
- **For Operations.** We may use and disclose information about you for our own business operations. These uses and disclosures are necessary to administer the agency and its programs and ensure all clients receive quality services.
- **Appointment Reminders.** We may use and disclose information to contact you as a reminder you have an appointment for services if you agree to this.
- **As Required by Law.** We will disclose personal information about you when required to do so by federal, state, or local law.
- **To Avert a Serious Threat to Your Health or Safety.** We may use and disclose your personal information when necessary to prevent a serious threat to your health and safety. Any disclosure, however, would only be to someone we believe is able to prevent the threat or harm from happening. We will attempt to notify you at your last address/phone number prior to making this disclosure.
- **Oversight Activities.** We may disclose personal information to a person or an oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, certification and licensure. These activities are necessary for the government to regulate

and monitor government programs and compliance with laws.

- **Complaint Investigation.** We will disclose your personal information to the Office of Information Practices if you have provided a voluntary written authorization permitting them to investigate a complaint about Kings View's alleged violation of the Information Practices Act.
- **Lawsuits and Disputes.** If you are involved in a lawsuit or dispute, we may disclose your personal information in response to a court or administrative order. We may also disclose information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request (which may include written notice to you) or to obtain an order protecting the information requested. We may disclose information to courts, attorneys and court employees for certain other judicial or administrative proceedings.
- **Law Enforcement.** We may release your personal information if asked to do so by a law enforcement official:
 - in response to a court order, subpoena, warrant, summons or similar process;
 - to report criminal conduct at our facility, or threats of such conduct against our staff or facility;
 - to identify or locate a suspect, fugitive, material witness, certain escapes and certain missing persons;
 - when requested by an officer who lodges a VALID warrant with the facility.

Reasonable attempts will be made to notify you before the disclosure.

- **Research.** We may disclose information about you to an individual providing advance adequate written notice the information will be used solely for statistical research or reporting but only if the information disclosed will not identify any individual.
- **Government.** We may disclose information about you to government and government law enforcement as required by state or federal law.
- **Committee of Legislature or a Member:** We may disclose your information to a Committee of the Legislature, or his or her staff when authorized in writing by the member, where such member has permission to obtain the information from the individual to whom it pertains or where the member provides reasonable assurance that he or she is acting in behalf of the individual.
- **Other Uses of Your Personal Information.** Other uses and disclosures of your personal information not covered by this notice or the laws that apply to us will be made only with your written permission. If you provide us permission to use or disclose information about you, you may revoke your permission in writing, at any time. If you revoke your permission, we will no longer use or disclose your information for the reasons covered by your written authorization. You understand we are unable to take back any disclosures we have already made with your permission, and we are required to retain our records of the service we provided to you.

Your Rights Regarding Your Personal Information

BE ADVISED

SECTION 1798.56 OF THE INFORMATION PRACTICES ACT PROVIDES THAT ANY PERSON WHO WILLFULLY

REQUESTS OR OBTAINS ANY RECORD CONTAINING PERSONAL OR CONFIDENTIAL INFORMATION FROM A STATE AGENCY UNDER FALSE PRETENSES SHALL BE GUILTY OF A MISDEMEANOR AND FINED \$5,000 OR IMPRISONED FOR NOT MORE THAN A YEAR, OR BOTH.

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

- **Right to Inspect and Copy**. You can inquire about and have the right to inspect and copy personal information maintained about you by Kings View.
 - To inspect and copy your records, you must submit your request in writing to the Kings View facility where you receive services. You must give satisfactory proof of identity before the record is presented to you for inspection. Another person may accompany you to inspect your record if you furnish a written authorization permitting this disclosure.
 - Inspection is allowed only on our premises in the presence of a Kings View worker.
 - If you request a copy of any or all your information, we charge ten cents per page unless a different rate has been established by law. For copies of records in other forms, fees may be charged enough to cover the costs of making copies.
 - We may deny your request to inspect and copy in certain very limited circumstances specified by law. If you are denied access to your personal information, you may request a review of the denial. The Privacy Officer will review your request and the denial. The Privacy Officer's review is completed within 30 calendar days after receipt of your request and his/her decision is final.
 - Timeline:
 - Inspection: We will make your records available for inspection without undue delay and no longer than 30 calendar days of receiving your written request. If your records are stored off site, we have 60 calendar days of receiving your written request to provide your records.
 - Copies: Copies will be made within 15 calendar days after receiving your written request.
- **Right to Amend**. If you feel any significant personal information in your record, which could affect your status or rights, is not accurate, relevant, timely or complete, you have the right to submit a request for amendment or correction of the record. You have the right to request an amendment for as long as the information is kept by or for us.
 - To request an amendment, your request must be made in writing to the facility where you receive services where you'll be provided a form to make your request. In addition, you must provide a reason that supports your request. We will notify you in 30 days after receipt of your request that corrections have been made as requested.

- Or, we may deny your request for an amendment, in part or whole, and the reason for refusing to amend the record including:
 - it is not in writing or does not include a reason to support the request;
 - was not created by us, unless the person or entity that created the information is unavailable to make the amendment;
 - is not part of the information kept by or for the facility;
 - is not part of the information which you would be permitted to inspect or copy; or
 - is accurate and complete.

- Review of Denial:

If you disagree with the refusal to amend any part of your record, you are entitled to request a review. We will provide you a form to submit your request for a review. The Privacy Officer will review the denial and a notice of the decision sent to you within 30 days or within 60 days if circumstances make it necessary to extend the review period. If the Privacy Officer review determines your request should be complied with, your record will be amended accordingly.

- Statement of Disagreement:

If the Privacy Officer concludes all or part of your request for amendment should not be granted, the notification will include a statement of reasons for the refusal. You are then entitled to file a Statement of Disagreement form if you do not agree with the Privacy Officer's review of the decision. This form allows you to give your reasons you do not agree with the review decision. Submit your Statement of Disagreement form to us. Your Statement of Disagreement, together with the Privacy's Officer's statement of reasons for refusing to amend your records, will be made part of your record and copies given to persons or agencies to whom the disputed information is disclosed.

- **Right to Authorize Us to Use or Disclose Your Information.** You have the right to authorize us to use or disclose your personal information to other service providers and/or individuals who are working together to coordinate and provide services to you. This may include community-based organizations, school officials, probation, social services, and others. You may also authorize us to disclose your personal information to your attorney, a consumer rights advocate, a health care agent, to a family member, or to anyone else you designate. We have the right to monitor and to approve such requests as allowed and permitted under the law. We must comply with your request that your records be released to your attorney or to a consumer rights advocate who is acting upon your behalf.

- **Right to an Accounting of Disclosures.** You have the right to request an "accounting of disclosures". This is a list of the disclosures we made of your personal information about you other than for our own uses to provide you services, obtain payment and operate the program (as described above) and with other exceptions pursuant to the law.
 - To request this list of accounting of disclosures, you must submit your request in writing to your provider or we will provide you a form to make your request. Your request must state a time which may not be longer than six years and may not include dates before April 14, 2003. Your request should indicate in what form you want the list (for example, on paper or electronically). The first list you request within a 12-month period will be free. For additional lists, we may charge you for the cost of providing the list. We will notify you of the cost involved and you may choose to withdraw or modify your request at any time before any costs are incurred.

- We will notify you as required by law if your personal information is unlawfully accessed or disclosed.
- **Right to a Paper Copy of the Notice.** You have the right to a paper copy of this notice. You may ask us to give you a copy of this notice at any time. Even if you have agreed to receive this notice electronically, you are still entitled to a paper copy of this notice. You may obtain a copy this notice at our website: www.kingsview.org

Changes To This Notice

We reserve the right to change this notice. We reserve the right to make the revised or changed notice effective for protected information we already have about you as well as any information we receive in the future. We will post a copy of the current notice in our facilities. The notice will contain the effective date on the first page. In addition, each time you register for new services we will offer you a copy of the current notice.

For any matter related to your personal information and records, you may contact:

- ❖ Your service provider at the facility where you receive(d) services or
- ❖ Kings View Privacy Officer
7170 N. Financial Drive
Fresno, California 93720
(559) 256-1080

⌘ COMPLAINTS ⌘

If you believe your privacy rights have been violated, you may file a complaint with Kings View or the State Attorney General. ***You will not be penalized for filing a complaint.***

- ❖ To file a complaint with Kings View or if you have comments or questions regarding our privacy practices, contact:

Kings View, Inc
Attention: Privacy Officer
7170 N. Financial Drive, Suite 110
Fresno, CA 93720
Phone (559) 256-1080

- ❖ To file a complaint with the State Attorney General, contact:

State of California
Office of the Attorney General
Attention: Public Inquiry Unit
P.O. Box 944255
Sacramento, CA 94244-2550
Phone: (800) 952-5225
Fax: (916) 323-5344

**ACKNOWLEDGEMENT OF RECEIPT
OF
KINGS VIEW NOTICE OF PRIVACY PRACTICES**

- I hereby acknowledge receipt of the Kings View Notice of Privacy Practices.
- I have been offered a copy of the Notice of Privacy Practices but do not wish to receive it at this time.

Signed: _____ Date: _____

Print Name: _____ Relationship: _____
(if not signed by client)