

Confidentiality

Privacy Notice

THIS NOTICE DESCRIBES HOW MEDICAL AND DRUG AND ALCOHOL RELATED INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

General information regarding your health care, including payment for health care, is protected by two federal laws: the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), 42 U.S.C. § 1320d et seq., 45 C.F.R. Parts 160 & 164, and the Confidentiality Law, 42 U.S.C. § 290dd-2, 42 C.F.R. Part 2. Under these laws, Aiken Center may not say to a person outside Aiken Center that you attend the program, nor may Aiken Center disclose any information identifying you as having a substance related problem, or disclose any other protected information except as permitted by federal law.

Aiken Center must obtain your written consent before it can disclose information about you for payment purposes. For example, Aiken Center must obtain your written consent before it can disclose information to your health insurer in order to be paid for services. Generally, you must also sign a written consent before Aiken Center can share information for treatment purposes or for health care operations. However, federal law permits Aiken Center to disclose information without your written permission:

1. Pursuant to an agreement with a business associate;
2. For research, audit or evaluations;
3. To report a crime committed on Aiken Center's premises or against Aiken Center personnel;
4. To medical personnel in a medical emergency;
5. To appropriate authorities to report suspected child abuse or neglect.
6. To appropriate authorities to anonymously or by court order report suspected abuse or neglect of an elderly person or a vulnerable adult, and/or
7. As allowed by a court order.

For example, Aiken Center can disclose information without your consent to obtain legal or financial services, or to another medical facility to provide health care to you, as long as there is a business associate agreement in place. Before Aiken Center can use or disclose any information about your health in a manner that is not described above, it must first obtain your specific written consent allowing it to make the disclosure. Any such written consent may be revoked by you in writing.

Your Rights

Under HIPAA, you may have the right to request restrictions on certain uses and disclosures of your health information. Aiken Center is not required to agree to any restrictions you request, but if it does agree then it is bound by that agreement and may not use or disclose any information which you have restricted except as necessary in a medical emergency. You have the right to request that we communicate with you by

alternative means or at an alternative location. Aiken Center will accommodate such requests that are reasonable and will not request an explanation from you. Under HIPAA, you also have the right to inspect and obtain a copy of your own health information maintained by Aiken Center, except to the extent that the information contains psychotherapy notes or information compiled for use in a civil, criminal, or administrative proceeding or in other limited circumstances. Under HIPAA, you also have the right, with some exceptions, to amend health care information maintained in Aiken Center's records, and to request and receive an accounting of disclosures of your health-related information made by Aiken Center during the six years prior to your request. You also have the right to receive a paper copy of this notice.

Aiken Center's Duties

Aiken Center is required by law to maintain the privacy of your health information and to provide you with notice of its legal duties and privacy practices with respect to your health information. Aiken Center is required by law to abide by the terms of this notice. Aiken Center reserves the right to change the terms of this notice and to make new notice provisions effective for all protected health information it maintains. You will receive a copy of this notice at intake or upon request.

Complaints and Reporting Violations

If a patient believes that their privacy rights under HIPAA have been violated, they may complain to Aiken Center, the Secretary of The United States Department of Health and Human Services, or the South Carolina Department of Health and Environmental Control, Division of Health Licensing (803-545-4370). If placing their complaint with Aiken Center, it must be in writing and sent to the Compliance Officer, Aiken Center, 1105 Gregg Highway, Aiken, SC 29801. Patients will not be retaliated against for filing such a complaint. Violation of the Confidentiality Law by a program is a crime. Suspected violations of the Confidentiality Law may be reported to the United States Attorney in the district where the violation occurs. This notice became effective April 14, 2003. For further information, contact the Corporate Compliance Officer at Aiken Center, 803-649-1900 ext. 3480.

Grievance Rights and Procedure

Patients may file a formal grievance or appeal a decision made by Aiken Center employees, without fear of reprisal, if they feel their rights have been violated or if they feel that a staff member has violated Aiken Center Code of Conduct (Ethics). All grievances will be addressed in a confidential manner. To file a grievance, follow the procedure outlined below:

1. The patient, who wishes to file a complaint, will describe in writing the event, date, time, name(s) of person(s) involved, and any other pertinent information concerning the grievance.
2. The written complaint should be submitted to the Clinical Services Manager as soon as possible.

3. The Clinical Services manager will investigate the complaint in as thorough a manner as possible and respond in writing to the complaint within three (3) working days.
4. If the patient is dissatisfied with the supervisory response, a hearing will be held before the Treatment Team, chaired by the Clinical Services Manager, where the parties involved will have the opportunity to give further details or evidence regarding the complaint. Third party representation for the patient at this meeting is permitted only in circumstances where the patient is determined by the Treatment Team to be incapable of adequately representing his/her own interests. Such a determination by a court of appropriate jurisdiction is also acceptable. The Treatment Team will have five (5) working days to respond in writing to the complaint.
5. If, after this response, the patient is still not satisfied, the complaint will be forwarded to the Executive Director who will have ten (10) working days to respond in writing. If the actions of the Executive Director were the basis of the original complaint, a patient may appeal in writing directly to the Chairman of the Board of Commissioners, who has ten (10) working days to respond in writing.
6. Upon completion of this process, if still dissatisfied, the patient may appeal to the Director of the South Carolina Department of Alcohol and Other Drug Abuse Services, in accordance with their procedures.

In addition, ADSAP patients have additional appeal procedures afforded by Section 56-5-2990 of the Code of South Carolina laws, as amended. This process is described in that law as well as in Aiken Center's Alcohol and Drug Abuse (ADSAP) Appeals Process. Contact Aiken Center's Intervention Services Office for more information. Additional information concerning this grievance procedure may be addressed to Aiken Center's Corporate Compliance Officer at (803) 649-1900 ext. 3480.

Clinical Code of Ethics

Aiken Center will not discriminate against anyone on the basis of race, religion, language group, age, gender, physical or mental disability, sexual orientation, or economic condition. Aiken Center staff understands their responsibility to patients, confidentiality, professional competency and integrity, financial arrangements, and inter-professional relationships. They will respect the rights of the persons served and will work to ensure that services are accessible and appropriate. Staff will respect and protect the confidences of patients under federal law and will make financial arrangements with patients and third-party payers that conform to acceptable professional practices. Patients can expect a high standard of professional competency and integrity, professional boundaries and limitations of competencies, and to treat patients with respect, courtesy, and fairness.

Aiken Center clinical staff must:

- Respect the right of patients to make decisions and help them understand the consequences of these decisions.
- Terminate a professional relationship when it is clear that the patient is not benefiting from services.
- Not abandon or neglect patients in need of continued treatment without making reasonable arrangements for the continuation of such treatment.
- Not engage in activities of a non-therapeutic nature outside of the business location with active patients receiving clinical services; and/or conduct any activities found to be harmful to patients.
- Obtain informed consent of patients before taping, recording, or permitting third party observation of their activities.
- Recognize boundaries and limitations of professional competence and not offer services or use techniques outside of their professional competencies.
- Be dedicated to maintaining high standards of scholarship and presenting information that is accurate.
- Seek to remain current on new developments in the behavioral health field, as relevant to their specialty areas, through educational activities and clinical experiences.
- Exercise special care when making public their professional recommendations and opinions through personal testimony or other public statements.
- Seek appropriate professional assistance for their own personal problems or conflicts that are likely to impair their work performance and/or their clinical judgment. Any comments, concerns, or suspected violations of this Code of Ethics should be reported to Aiken Center's Corporate Compliance Officer at (803) 649-1900 ext. 3480.