

FamilyMeans
Notice of Privacy Practices
Client Rights & Client Grievances

This notice describes how Protected Health Information (PHI) for FamilyMeans clients can be used and disclosed, client rights to access and amend their information, and grievance procedures. The following policies and procedures are based on Privacy requirements of the Health Insurance Portability and Accountability Act (HIPAA) and applicable Minnesota State Law. Please review it carefully.

FamilyMeans is permitted to use and disclose protected health information (PHI) for treatment, payment, and health care operations, as described in the following examples:

1. For treatment – example: information about you may be used to provide treatment and services.
 2. For payment – example: determining a client’s insurance eligibility or coverage, obtaining prior authorization from an insurance company for a service, or billing a client’s insurance for a service provided.
 3. For health care operations – example: outcomes evaluations or quality assessment activities.
- FamilyMeans may contact individuals for appointment reminders.
 - FamilyMeans is permitted or required, under specific circumstances, to use or disclose protected health information without written authorization from the individual. If use or disclosure for any purpose as prescribed by the Privacy Regulation is prohibited or materially limited by applicable Minnesota State law, the most stringent law’s description of the use or disclosure is applied.
 - Other uses and disclosures will be made only with the individual’s written authorization and the individual may revoke such authorization.
 - Without your written request and authorization, FamilyMeans does not disclose information to insurance or other payers for services that you choose to pay for yourself out-of-pocket.
 - FamilyMeans is obligated to report to you any breach of your PHI which compromise your privacy within 30 days of learning of the breach.

Client Rights for Protected Health Information

Individuals have the following rights regarding protected health information; the extent of and exceptions to these rights are defined in the Privacy Regulation:

1. The right to request restrictions on certain uses and disclosures of protected health information. FamilyMeans is not, however, required to agree to requested restrictions.
2. The right to receive confidential communications of protected health information, as applicable.
3. The right to inspect and copy protected health information, as applicable.
4. The right to request amendment of your protected health information, as applicable.
5. The right to receive an accounting of disclosures of protected health information, as applicable.
6. The right to obtain a paper copy of the Notice from FamilyMeans upon request. This right extends to an individual who has agreed to receive the Notice electronically.

Federal and State laws grant clients of FamilyMeans the right to strict privacy in regard to information about themselves. This means that no information by which a client could be identified will be given by us to anyone else at any time without written consent of the individual, unless specifically required or permitted for treatment, payment or health care operations purposes by law. Important exceptions are that agency staff is required by law to report suspected abuse and neglect of children or vulnerable adults and records may be subpoenaed if a client is involved in a court action.

Individuals are not required to give any information about themselves. However, refusal to give needed information will hamper service planning. The information that is requested about clients is needed for one or more of the following reasons:

1. To help us evaluate clients’ needs for services and to develop a plan to meet those needs
2. To determine financial eligibility for reduced service fees
3. To meet Federal, State and Local statistical requirements.

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No audio or video recording of a treatment session will be made without client permission. No one except agency staff involved in treatment will view or listen to a treatment session or a recording of a session, or read a verbatim transcript of a session unless the client gives permission. Clients also have the right to refuse recording or photographs at any time.

Individuals have the right to view their protected health information with the following exceptions:

1. If a doctor or licensed provider believes that it will be harmful to the client or others.
2. Information compiled in anticipation of, or for use in, a civil, criminal or administrative action or proceeding.
3. Information obtained from someone other than a healthcare provider under a promise of confidentiality and the access requested would be likely to reveal the source of the information.

Clients may have the information explained to them by an agency clinician/worker and may request corrections, additions, or amendments to any information in their client chart. If individuals have any questions about data privacy or client privacy rights, they may contact the agency's privacy official or their clinician/worker.

FamilyMeans is required by law to maintain the privacy of protected health information and to provide individuals with notice of its legal duties and Privacy practices with respect to protected health information.

FamilyMeans is required to abide by the terms of the Notice currently in effect.

FamilyMeans reserves the right to change the terms of this Notice. The new Notice provisions will be effective for all protected health information that it maintains.

FamilyMeans will provide individuals with a copy of the revised Notice at the individual's next appointment. Clients may also access the revised Notice on the agency's website or request by phone that a copy be sent to them.

If an individual believes that their privacy rights have been violated, complaints may be made to FamilyMeans and to the Secretary of the Department of Health and Human Services without fear of retaliation by the organization. A description of how a complaint may be filed is below.

Client Grievance/Complaint Procedure

What is a grievance?

A grievance is any complaint or concern that a client, referring agency, or person(s) in the community has about the service and/or treatment associated with FamilyMeans staff and/or the facility. FamilyMeans is committed to processing grievances in a timely manner respectful to all parties involved.

Filing a Grievance

Grievances may be communicated in writing, by phone, or in person. However, we encourage individuals to use the written method whenever possible and to file those complaints within a month of when the situation occurred.

If you wish to file a grievance or make a complaint, the following procedure is available to you:

1. We suggest that as a first step the complaint or concern be shared with the individual(s) with whom you have a grievance.
2. If a satisfactory solution to the situation is not obtained through discussion with the individual(s), then you may contact that department supervisor. That person will assess the level of urgency of the matter from the information you have provided. We must acknowledge in writing the receipt of a client grievance within three business days of receipt.
3. If the grievance is not resolved with the above process, the President of FamilyMeans, James Kroening, is available for consultation at 651-439-4840.

All efforts will be made to obtain resolution to grievances in the shortest time possible with the goal being no more than 15 business days. The timelines to achieve this may be affected by factors such as the availability of the person(s) involved. If there are unavoidable delays, the person making the complaint will be notified about the circumstances.

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If you do not feel the grievance procedure has yielded satisfactory resolution and/or if you do not want to utilize this procedure, you may contact the Division of Licensing at the MN Department of Human Services to register a grievance at 651-431-6500, Ombudsman for Mental Health and Developmental Disabilities at 651-757-1800, Office of Health Facility Complaints at 651-201-4201

You may also contact one of the following:

Board of Behavioral Health & Therapy 651-201-2756
Board of Social Work 612-617-2100
Board of Psychology 612-617-2220
Board of Marriage and Family Therapy 612-617-2220
Board of Medical Practice 612-617-2150

Client Rights for Mental Health Services in MN
Minnesota Patient Bill of Rights

Courteous treatment. Clients have the right to be treated with courtesy and respect for their individuality by employees of or persons providing service in a health care facility.

Appropriate health care. Clients shall have the right to appropriate medical and personal care based on individual needs.

Physician's identity. Clients shall have or be given, in writing, the name, business address, telephone number, and specialty, if any, of the physician responsible for coordination of their care. In cases where it is medically inadvisable, as documented by the attending physician in a client's care record, the information shall be given to the client's guardian.

Relationship with other health services. Clients who receive services from an outside provider are entitled, upon request, to be told the identify of the provider.

Information about treatment. Client shall be given, by their providers, complete and current information concerning their diagnosis, treatment, alternatives, risks, and prognosis as required by the physician's legal duty to disclosed. This information shall be in terms and language the client can reasonably be expected to understand. Clients may be accompanied by a family member or other chosen representative, or both. This information shall include the likely medical or major psychological results of the treatment and its alternatives. In cases where it is medically inadvisable, as documented by the attending provider in a client's medical record, the information shall be given to the client's guardian. Individuals have the right to refuse this information.

Participation in planning treatment; notification of family members. Clients shall have the right to participate in the planning of their health care. This right includes the opportunity to discuss treatment and alternatives with individual caregivers, the opportunity to request and participate in formal care conferences, and the right to include a family member or other chosen representative, or both. In the event that the client cannot be present, a family member or other representative chosen by the client may be included in such conferences.

Continuity of care. Clients shall have the right to be cared for with reasonable regularity and continuity of staff assignment as far as facility policy allows.

Right to refuse care. Competent clients shall have the right to refuse treatment based on the information required in consent to treatment, and to terminate services at any time, except as otherwise provided by law or court order.

Experimental research. Written, informed consent must be obtained prior to a client's participation in experimental research. Clients have the right to refuse participation. Both consent and refusal shall be documented in the individual care record.

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Freedom from maltreatment. Clients shall be free from maltreatment as defined in the Vulnerable Adults Protection Act. "Maltreatment" means conduct described in section 626.5572 subd.15 or the intentional and nontherapeutic infliction of physical pain or injury, or any persistent course of conduct intended to produce mental or emotional distress. Every client shall also be free from nontherapeutic chemical and physical restraints, except in fully documented emergencies, or as authorized in writing after examination by a client's physician for a specified and limited period of time.

Treatment privacy. Clients shall have the right to respectfulness and privacy as it relates to their medical and personal care program. Case discussion, consultation, examination, and treatment are confidential and shall be conducted discreetly.

Confidentiality of records. Clients shall be assured confidential treatment of their personal and medical records, and may approve or refuse their release to any individual outside the facility.

Responsive service. Clients shall have the right to a prompt and reasonable response to their questions and requests.

Grievances. Clients shall be encouraged and assisted, throughout their course of treatment, to understand and exercise their rights as clients and citizens. Clients may voice grievances and recommend changes in policies and services to facility staff and others of their choice, free from restraint, interference, coercion, discrimination, or reprisal, including threat of discharge. Notice of the grievance procedure of the facility or program, as well as addresses and telephone numbers for the Office of Health Facility Complaints.

Protection and advocacy services. Clients shall have the right of reasonable access at reasonable times to any available rights protection services and advocacy services so that the clients may receive assistance in understanding, exercising, and protecting the rights described in this section and in other law. This right shall include the opportunity for private communication between the clients and a representative of the rights protection service or advocacy service.

Non-discrimination. Clients have the right to be free from being the object of unlawful discrimination without regard to race, color, nation of origin, language, religion, political beliefs, sex, marital status, age, sexual orientation, gender identity, or disability, including ADIS, or status as HIV positive.

This Notice is first in effect on April 13, 2003, revised January, 18, 2018, revised August, 22, 2022.