



Effective Date:

03/04/2024 NOTICE

PRIVACY RULES FOR CARELON BEHAVIORAL HEALTH, INC.

To contact Carelon Behavioral Health, Inc. (Carelon Behavioral Health) Privacy Officer, please email BehavioralHealthPrivacy@carelon.com or call the number on your member identification card.

If you have any questions, please call Carelon Behavioral Health, Inc. The phone number is in your member packet or on your member identification card.

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.

[State Notice of Privacy Practices](#)

When it comes to handling your health information, we follow relevant state laws, which are sometimes stricter than the federal HIPAA privacy law. This notice explains your rights and our duties under state law.

Your state may give you additional rights to limit sharing your health information.

[Your Personal Information](#)

Your nonpublic (private) personal information (PI) identifies you. You have the right to see and correct your PI. We may collect, use and share your PI as described in this notice. Our goal is to protect your PI because your information can be used to make judgments about your health, finances, character, habits, hobbies, reputation, career and credit.

We may receive your PI from others, such as hospitals, insurance companies, or other doctors. We may also share your PI with others outside our company — without your approval, in some cases. But we take reasonable measures to protect your information.

If an activity requires us to give you a chance to opt out, we'll let you know and we'll let you know how to tell us you don't want your PI used or shared for an activity you can opt out of.

[HIPAA Notice of Privacy Practices](#)

We keep the health and financial information of our current and former patients private as required by law, accreditation standards and our own internal rules. We're also required by federal law to give you this notice to explain your rights and our legal duties and privacy practices.

Your Protected Health Information

There are times we may collect, use and share your Protected Health Information (PHI) as allowed or required by law, including the HIPAA Privacy rule. Here are some of those times:

Payment: We collect, use and share PHI to get payment for the medical care you receive from us.

Healthcare operations: We collect, use and share PHI for our healthcare operations.

Treatment activities: We collect, use and share PHI to provide the care, medicine, and services you need or to help doctors, hospitals, and others get you the care you need.

Examples of ways we use your information:

- We may share PHI with other doctors or your hospital so that they may treat you.
- We may use PHI to review the quality of care and services you get.
- We may use PHI to help you with services for conditions like asthma, diabetes or traumatic injury.
- We may also use and share PHI directly or indirectly with health information exchanges for payment, healthcare operations and treatment. If you don't want your PHI to be shared in these situations, contact Beacon Care Services at 855-227-6562 for more information.

Sharing your PHI with you: We must give you access to your own PHI. We may also contact you about treatment options or other health-related benefits and services. We may also send you reminders about routine medical checkups and tests.

You may get emails that have limited PHI, such as appointment reminders.

Sharing your PHI with others: In most cases, if we use or share your PHI outside of treatment, payment, operations or research activities, we have to get your permission in writing first. We must also get your written permission before:

- Using your PHI for certain marketing activities.
- Selling your PHI.
- Sharing any psychotherapy notes from your doctor or therapist.

You always have the right to cancel any written permission you have given at any time.

If you tell us to, we will share your information with your family, close friends or others involved with your current treatment or payment for your care.

If you're unable to tell us your preference, for example in an emergency situation or if you're unconscious, we may share your PHI if we believe it's in your best interest. We may also share your information when needed to lessen a serious and likely threat to your health or safety.

Other reasons we may use or share your information:

We are allowed, and in some cases required, to share your information in other ways — usually for the good of the public, such as public health and research. We can share your information for these specific purposes:

- Helping with public health and safety issues, such as:
 - Preventing disease
 - Helping with product recalls
 - Reporting adverse reactions to medicines
 - Reporting suspected abuse, neglect, or domestic violence
 - Preventing or reducing a serious threat to anyone’s health or safety
- Doing health research.
- Obeying the law, if it requires sharing your information.
- Responding to lawsuits and legal actions.

Authorization: Except as outlined in this notice or as permitted by state and federal law, we’ll get your written permission before we use or share your PHI. You may cancel your permission at any time, in writing. We will then stop using your PHI for that purpose. But if we’ve already used or shared your PHI with your permission, we cannot undo any actions we took before you told us to stop.

Race, ethnicity, language, sexual orientation and gender identity: We may receive race, ethnicity, language, sexual orientation and gender identity information about you and protect this information as described in this notice. We may use this information to help you, including identifying your specific needs, developing programs and educational materials and offering interpretation services. We don’t share this information with unauthorized persons.

Your Rights

Under federal law, you have the right to:

- Send us a written request to see or get a copy of your PHI, including a request for a copy of your PHI through email. Remember, there’s a risk your PHI could be read by a third party when it’s sent unencrypted (for example, when it’s sent through unsecure regular email). So we will first confirm that you want to get your PHI by unencrypted email before sending it to you. We will provide you a copy of your PHI usually within 30 days of your request, unless a more stringent state requirement applies. If we need more time, we will let you know.
- Ask that we correct your PHI that you believe is wrong or incomplete. If someone else, such as another doctor, gave us the PHI, we’ll let you know so you can ask him or her to correct it. We may say “no” to your request, but we’ll tell you why in writing within 60 days.
- Send us a written request not to use your PHI for treatment, payment or healthcare operations activities. We may say “no” to your request, but we’ll tell you why in writing.
- Request confidential communications. You can ask us to send your PHI or contact you using other ways that are reasonable. Also, let us know if you want us to send your mail

to a different address if sending it to your home could put you in danger.

- Send us a written request to ask us for a list of those with whom we've shared your PHI. We will provide you a list usually within 60 days of your request. If we need more time, we will let you know.
- Ask for a restriction for services you pay for out of your own pocket. If you pay in full for any medical services out of your own pocket, you have the right to ask us not to use or share that PHI for treatment, payment or operations reasons. If a law requires sharing your information, we don't have to agree to your restriction.

How we protect information

We're dedicated to protecting your PHI, and we've set up a number of policies and practices to help keep your PHI secure and private. If we believe your PHI has been breached, we must let you know.

We keep your oral, written and electronic PHI safe using the right procedures, and through physical and electronic ways. These safety measures follow federal and state laws. Some of the ways we keep your PHI safe include securing offices that hold PHI, password-protecting computers, and locking storage areas and filing cabinets. We require our employees to protect PHI through written policies and procedures. These policies limit access to PHI to only those employees who need the data to do their jobs. Employees are also required to wear ID badges to help keep unauthorized people out of areas where your PHI is kept. Also, where required by law, our business partners must protect the privacy of data we share with them as they work with us. They're not allowed to give your PHI to others without your written permission, unless the law allows it and it's stated in this notice.

Potential impact of other applicable laws

HIPAA, the federal privacy law, generally doesn't cancel other laws that give people greater privacy protections. As a result, if any state or federal privacy law requires us to give you more privacy protections, then we must follow that law in addition to HIPAA.

Calling or texting you

We, including our affiliates and/or vendors, may call or text you by using an automatic telephone dialing system and/or an artificial voice. But we only do this in accordance with the Telephone Consumer Protection Act (TCPA). The calls may be about treatment options or other health-related benefits and services for you. If you don't want to be contacted by phone, just let the caller know or contact Beacon Care Services at 855-227-6562 to add your phone number to our Do Not Call list. We will then no longer call or text you.

Complaints

If you think we haven't protected your privacy, you can file a complaint with us by calling Beacon Care Services at 855-227-6562. You may also file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by visiting hhs.gov/ocr/privacy/hipaa/complaints/. We will not take action against you for filing a complaint.

Contact information

You may call us at Beacon Care Services at 855-227-6562 to apply your rights, file a complaint or talk with you about privacy issues.

Copies and changes

You have the right to get a new copy of this notice at any time. Even if you have agreed to get this notice by electronic means, you still have the right to ask for a paper copy. We reserve the right to change this notice. A revised notice will apply to PHI we already have about you, as well as any PHI we may get in the future. We're required by law to follow the privacy notice that's in effect at this time. We may tell you about any changes to our notice through a newsletter, our website or a letter.

Effective date of this notice

The original effective date of this Notice was April 14, 2003. The most recent revision is September 1, 2022.

It's important we treat you fairly

We follow federal civil rights laws in our health programs and activities. We don't discriminate, exclude people, or treat them differently based on race, color, national origin, sex, age or disability. If you have disabilities, we offer free aids and services. If your main language isn't English, we offer help for free through interpreters and other written languages. Call your clinic for help (TTY/TDD:711). If you think we failed to offer these services or discriminated based on race, color, national origin, age, disability, or sex, you can file a complaint, also known as a grievance. You can file a complaint through one of these ways:

- Write to Privacy Officer, Carelon Behavioral Health, 200 State Street, Suite 300, Boston, MA 02109.
- File a complaint with the U.S. Department of Health and Human Services, Office for Civil Rights at 200 Independence Avenue, SW; Room 509F, HHH Building; Washington, D.C. 20201.
- Call 1-800-368-1019 (TDD: 1-800-537-7697).
- Go online at ocrportal.hhs.gov/ocr/portal/lobby.jsf and fill out a complaint form at hhs.gov/ocr/office/file/index.html

Who Will Follow This Notice:

These Carelon Behavioral Health, Inc. companies that follow these rules:

Carelon Behavioral Health, Inc.	CHCS, IPA
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All materials Carelon Behavioral Health, Inc. writes for Members are available in English and Spanish. You can receive oral interpretations of this material in all languages.

Members with special needs can get documents that are easier to read. This may be for people who do not see well or who do not read well.

Carelon Behavioral Care, Inc.	Carelon Behavioral Health of California, Inc.
Carelon Behavioral Health Strategies, LLC	Carelon Health Federal Services, Inc.
Massachusetts Behavioral Health	Carelon Health of Pennsylvania, Inc.
BHS IPA, LLC	OPTIONS Health Care, Inc.
Carelon Health of New Jersey, Inc.	

Privacy Practices for Members Who Receive Employee Assistance Program (EAP) Services from Carelon Behavioral Health:

If you are receiving EAP services from Carelon Behavioral Health, there may be times when your personal information is not governed by the privacy rules described above. For example, if you have been referred by your employer for a Fitness for Duty evaluation, or if you receive EAP services for a non-healthcare situation, the health care privacy rules do not apply. However, Carelon Behavioral Health is fully committed to protecting your personal information in all situations.

Your employer has provided you with a Statement of Understanding (SOU) that describes the specific privacy protections that apply to your EAP program. Carelon Behavioral Health protects your personal information in accordance with that specific SOU. In general, however, the protections given to all recipients of EAP services include:

1. Any personal information obtained by the EAP in the course of providing EAP services will be kept strictly confidential except as you agree in writing, or as required by law, as described below. This includes not telling your supervisor or your employer that you used the EAP.
2. There are, however, some situations where your EAP will not be able to protect the privacy of your information:
 - a. If child, elder or disabled adult abuse or neglect is suspected, your EAP is required by law to report it to the proper authorities.
 - b. If the EAP becomes aware of a threat of imminent and serious bodily harm to self or others, your EAP will disclose the information in order to prevent harm.
 - c. If your EAP is required to present records to comply with a court order, it is their legal responsibility to comply.
 - d. If your EAP learns about any emergency medical circumstances which require immediate medical attention.
3. Carelon Behavioral Health EAP staff may share your information concerning your use of the EAP with the EAP staff at your organization, in order to deliver services to you, or for EAP administrative and management purposes. The EAP staff at your organization are also under privacy obligations, as described to you in the SOU.
4. If the EAP services provided to you are to treat a medical or behavioral health condition, then the health care privacy rules will apply to that information.