



INDEPENDENT CARE HEALTH PLAN

1555 N. RiverCenter Dr. Suite 206
Milwaukee, WI 53212
414-223-4847, Toll Free 1-800-777-4376
TTY 1-800-947-3529 or 7-1-1

THIS NOTICE DESCRIBES HOW *iCARE* PROTECTS MEDICAL INFORMATION ABOUT YOU (PROTECTED HEALTH INFORMATION OR PHI) AND HOW IT MAY BE USED AND SHARED. THE NOTICE ALSO TELLS YOU HOW YOU CAN GET THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

This Notice will tell you what information we collect and how we protect it. It will also tell you how we use it. You can call our **Customer Service Department** at **1-800-777-4376** if you have questions about this Notice. If you do not have any questions, you do not have to do anything.

The law says we must keep your health information private. *iCare* collects health information about you including but not limited to individual-level data on race/ethnicity, language, gender identity and sexual orientation. *iCare* does not use your race/ethnicity, language, gender identity and sexual orientation information for underwriting and for the denial of services, coverage and benefits.

Safeguarding your Protected Health Information (PHI)

This policy outlines how *iCare* stores, disposes, uses, reuses and protects paper (including, but not limited to patient charts, sign-in sheets) and electronic systems and devices (including, but not limited to diskettes, CDs, tapes, mobile applications, portable drives, laptops, and secure portals) that contain PHI from unauthorized access. *iCare's* privacy protection policy requires the following:

- Each user must have a unique ID and password to access any system.
- Allow staff minimum necessary access to protected health information in paper and electronic systems and devices.
- Staff is trained on the proper use of their computers in a remote working environment and are required to follow all prudent security practices to safeguard access to PHI by unauthorized parties.
- Staff user accounts are disabled upon termination from *iCare*, so users are unable to retain access after their termination date.
- Availability of secured shredding bins throughout the facility for the disposal of any paper documents containing PHI.
- Physical access to the office areas where workstations are used is secured by electronic access control cards. Control cards are issued to staff members on the first date of employment and are terminated on the same date that employment ends.

- All server equipment is in a central data room and secured by a pass card control system.
- All the removable media is encrypted using commercial encryption software.
- Keep an inventory of all company devices.
- Upon return, removable media devices are cleared prior to being reissued to another staff member.
- Hard drives that are no longer used are destroyed by a third-party vendor, in accordance with United States Department of Defense 5220.22-M standard. A certificate of destruction is received from this vendor upon completion.

How We May Use or Share Your Health Information

There are times when the law allows us to use and share your health information without your written consent. The following is a list of those times. In compliance with federal and state laws, we may also make your Protected Health Information (PHI) available electronically. We do this through an electronic health information exchange. We may give your PHI to other health care providers and health plans that request your information. We only give your PHI for purposes of Treatment, Payment, and Health Care Operations. We may also give your PHI to public health entities as permitted by law. Participation in an electronic health information exchange also lets us see other providers' and health plans' information about you for purposes of Treatment, Payment, and Health Care Operations.

1. Treatment

We may use your health information to provide you with health care treatment or services. We also use it to arrange social services you may need. For example:

- Your care coordinator or case manager may share information they got from you or your health care providers with others involved in your treatment, including other health care providers. The information they share will be used to help you get the services you may need.
- Your health information may be shared with social service agencies. This information will be used to help you get the services you may need.
- We may share your Medicaid ID number with transport companies. This is shared only if we need to get you a ride to your health care appointments.
- We may have to share your health information with health education programs you need or are participating in.

2. Payment

We may use your health information to pay for services you had or to manage benefits. For example:

- Your provider will submit a bill to *iCare* for payment of services you received. This bill shows your name and Medical Assistance number. It may give the services you received and what was wrong with you.
- Information about you may be shared with the State of Wisconsin. It may be used to see if you can join *iCare*. It may be used to see if you can get Medicaid or other program benefits.

3. Health Care Operations

Your health information may be used or shared to carry out benefit or service related activities. This means that your health information may be shared with our staff or others to:

- Look at the quality of care you had;
- Learn how to improve our services;
- Provide case management services;
- Provide care coordination services;
- Resolve your complaint or grievance;
- See how our employees are doing in providing you with service.

4. Appointments and Treatment Choices

Your health information may be used or shared to remind you of appointments. It may also be used to tell you about different ways you can be treated. Or it can be used to tell you about other health and services that you might like.

5. Family and Personal Representatives

We may share your health information with a relative. We may also share your health information with a close friend or other person who is involved in your care.

6. Business Associates

We work with others outside of *iCare* to provide certain services. These others are called business associates. Your health information may be given to them so they can do the job we ask them to do. They must also protect your health care information. For example, we work with a company to pay your claims.

7. Required by Law

Your health information may be used or shared as required by any federal, state or local law. This means that we may share information when:

- Requested by a court for legal reasons;
- Needed by public health and Food and Drug Administration authorities;
- Needed for administrative actions, such as Fair Hearings

8. Health Oversight

Your health information may be given to state or federal agencies to do reviews or to check on *iCare*. This helps the government to see what we are doing to meet civil rights or other laws.

9. Law Enforcement

Your health information may be shared if the law says we must. We will also share it if there is a valid court order to help identify or find suspects. We may also share it if it helps the law find a missing person or someone hiding from the law.

10. Serious Threats to Health or Safety

Your health information may be shared to prevent or lessen a serious threat to your health or safety. It may also be shared if there is a threat to the health and safety of the public.

11. Country's Safety

Your health information may be shared for the safety of the country. It may also be shared for government benefit reasons.

12. Jails or Prisons

We may need to share your health information with jail or prison staff if you become an inmate.

13. Research

Your health information may be used for research needs. It will only be shared after steps are taken to protect your privacy. We will ask for your permission if the researcher asks for information that says who you are. We will also ask for your permission to share information with the researcher if they are giving you care.

14. Worker's Compensation or Social Security Reviews

Your health information may be shared as needed to follow the laws related to worker's compensation. It may also be shared to help decide if you can get social security benefits.

15. Coroners, Medical Examiners or Funeral Directors

Health information may be shared to help confirm the identity of a deceased person.

16. Organ Donations

Information may be given to agencies if you need an organ transplant. It may also be shared with agencies if you want to donate an organ.

17. Other Uses

At times we may need to use or share your health information for other reasons. Other uses and disclosures not described in this Notice will be made only with your consent. You may cancel your consent, but it must be done in writing. When you cancel your consent, we will no longer be able to use or share your health information as stated in the consent. But we will not be able to take back any use or sharing that was already made with your consent. You will be told as soon as possible after the information is shared.

18. Uses That Require an Authorization by You

There are certain times when we must ask for your written consent to use or disclose your health information. These uses include:

- Use or disclosure of psychotherapy notes. We do not have to ask permission if the notes will be used by your provider in a lawsuit that you file against them. We do not have to ask permission to use the notes if they are used by your provider to help train other mental health providers.
- Use for Marketing **unless** the communication is a face to face or a promotional gift to you of small value.
- Sale of protected health information: *iCare* does not sell any member's protected health information.

Your Health Information Rights

All questions about your rights must be in writing. You can send your written request to Member Advocate/Member Rights Specialist. Mail it to Independent Care Health Plan, 1555 N. RiverCenter Drive, Suite 206, Milwaukee, WI. 53212. You can also call our Member Advocate/Member Rights Specialist to help make your request at 1-800-777-4376.

1. *Request Limits:* You can ask us to limit some uses and sharing of your health information. But the law does not say we must agree to these limits, unless your request is to not disclose protected health information about a health care service you received that was paid for in full by you or by another person (other than an insurance company like iCare) on your behalf.
2. *Request That You Be Informed About Your Health in a Way or at a Location That Will Keep Your Information Private:* Your request will be evaluated. We will let you know if it can be done.
3. *Inspect and Copy:* You have the right to view and copy certain health information about you. You may request a review if you are denied access to these records. You may be charged a reasonable fee if you want extra copies of records.
4. *Request a Change:* You have the right to request us to change your health information that you believe is not correct or complete. You must give a reason for your request. We do not have to make the change. If we say no to your request, we will give you information about why we will not make the change. We will tell you how you can disagree with it.
5. *Report of When Your Information Was Shared:* You can ask for a list of when and why we shared your health information. This list will only be for reasons **other than** treatment, payment or health care operations. Your request should specify a period of up to six years. It may not include dates before April 14, 2003.
6. *Paper Copy:* You can ask to get a paper copy of this Notice at any time. Mail a written request to 1555 N. RiverCenter Dr. Suite 206, Milwaukee, WI 53212. You may also get a copy of this Notice at our web site: www.icarehealthplan.org.

Changes to this Notice of Privacy Practices

We have the right to change the terms of this Notice at any time. The new Notice will be effective for all health information we have. This notice is posted to our web site. Until changes are made to the Notice, we will use this version. We will notify you if there are changes to this notice and how to obtain a copy.

Complaints

You may complain to us if you believe your privacy rights have been violated. Complaints must be in writing. If you need help filing a complaint, contact our Member Advocate/Member Rights Specialist at 1-800-777-4376. You will not be treated any differently if you file a complaint.

You may also file a complaint with the Secretary of the Department of Health and Human Services by writing to Office of Civil Rights, Department of Health and Human Services, 200 Independence Ave. SW, Washington, D.C. 20201.

Our Responsibilities

We must:

- Keep your protected health information private.
- Tell you about our legal duties.
- Tell you about our privacy practices about your health information.
- Stand by the terms of this notice.
- Tell you if we cannot agree to a limit on how you want your information used or disclosed.
- Notify you if there has been a breach of your protected health information.
- Meet reasonable requests you may make to send health information by other means or to other locations.

Contact Information

If you have any questions or complaints, please contact us at:

Toll Free 1-800-777-4376

TTY 1-800-947-3529 or 711

Effective Date of this notice: March 31, 2023