

**HAMILTON COUNTY GOVERNMENT
JOINT NOTICE OF PRIVACY PRACTICES**

Effective Date: September 14, 2026

FEDERAL LAW (THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) AND 42 C.F.R. PART 2 (PART 2) PROVIDES PATIENT RIGHTS RELATED TO HEALTH INFORMATION AND PROTECTS THE CONFIDENTIALITY OF SUBSTANCE USE DISORDER (SUD) TREATMENT RECORDS.

March 18, 2026, the Hamilton County Commission passed Resolution No. 326-19 reaffirming Hamilton County Government's (HCG) hybrid status and designating its Components and Part 2 Programs as below.

APPLICABLE COVERED ENTITY COMPONENTS (CECs)

Hamilton County Health Department (HCHD); Emergency Medical Services (EMS); Ambulance Billing; Compliance Officer, Privacy Officer, and Security Officer; Drug Recovery Court; Mental Health Court; Veterans Treatment Court; and Alternative Sentencing – Recidivism Reduction Initiative (RRI)

COMPONENTS THAT PERFORM COVERED FUNCTIONS

Office of County Attorney; Human Resources; Risk Management; Mailroom; Hamilton County Sheriff's Office; Juvenile Court; Information Technology (IT); Telecommunications; Records Management Department; Economic & Community Development; Office of County Auditor; and Hamilton County Administration

PART 2 PROGRAMS

Hamilton County Health Department – Homeless Health Care Center; EMS Overdose Prevention Treatment (OPT); Drug Recovery Court; Mental Health Court; Veterans Treatment Court; and Alternative Sentencing – Recidivism Reduction Initiative (RRI)

THIS JOINT 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.

Each CEC agrees to the terms of this Joint Notice and will only use and disclose your protected health information (PHI) or SUD treatment records as described. Uses and disclosures not described in this Joint Notice will be made only with a valid authorization.

I. USES AND DISCLOSURES. CECs typically use or disclose your PHI in the following ways:

A. Treatment, Payment, and Health Care Operations (TPO) or Legal Proceedings.

1. Consent.

- a. CECs may use and disclose PHI for treatment, payment, and health care operations (TPO) without patient consent, as permitted by HIPAA.
- b. Substance Use Disorder (SUD) treatment records can only be used or disclosed with written consent, except as permitted by Part 2, HIPAA, and applicable TN law.
- c. EMS does not need your consent to use or disclose your PHI for TPO. However, consent is required for EMS OPT services. If you cannot consent during an emergency but ask for OPT program information, EMS will disclose only your name and phone number with an OPT team member. If you choose to enroll in the OPT program, you will be asked to sign this consent, and EMS will keep a copy.
- d. You may provide a single consent for all future uses and disclosures for TPO purposes for Part 2 Programs.
- e. You may provide a single consent for pre-defined legal proceeding(s) for Part 2 Programs.
- f. If HIPAA covered entities and business associates receive your records for TPO purposes, your records may be redisclosed in accordance with HIPAA, except for uses and disclosures for civil, criminal, administrative, or legislative proceedings against you.
- g. At any time, you can cancel your consent or request that we limit how your information is disclosed. However, this will not apply to any actions the CEC already took while your consent was active.
- h. If you were mandated to treatment through the criminal legal system, including Drug Recovery Court, Mental Health Court, Veterans Treatment Court, and Alternative Sentencing – RRI, and you sign consent authorizing disclosure to elements of the criminal legal system (the court, probation officers, parole officers, prosecutors, law enforcement, etc.) there may be consequences to revoking your consent. These consequences are clearly explained on the Joint Legal Proceedings Use and Disclosure Consent form.

2. TPO Examples:

- a. **Treatment.** CECs may disclose your information with another provider or case manager for continuation of your care.
- b. **Payment.** CECs will use your information to obtain payment for services that you receive, unless you pay for services in full and ask the CEC not to bill your insurance,
- c. **Healthcare Operations.** CECs may use and disclose your PHI to run HCG operations, improve your care, and to contact you when necessary.

B. Uses and disclosures that generally do not require your authorization:

1. Required by law.

- a. **Abuse, neglect, or domestic violence.** If there is a reasonable belief that you are a victim of abuse, neglect, or domestic violence, your information may be disclosed to a government authority authorized by law to receive these reports.
- b. **Health oversight activities.** A covered entity may disclose PHI to a health oversight agency for oversight activities authorized by law, including: audits; civil, administrative, or criminal investigations; inspections; licensure or disciplinary actions; civil, administrative, or criminal proceedings or actions; or other activities necessary for appropriate oversight.
- c. **Judicial or administrative proceedings.** Your medical records or testimony about your records will not be used or disclosed in civil, criminal, administrative, or legislative proceedings against you, unless we have received your written consent **or** a court order that must be accompanied by a subpoena or similar mandate.
- d. **Law enforcement purposes.** In certain specific instances, CECs may release PHI to a law enforcement official.
- e. **Minimum necessary.** Uses and disclosures required by law must be limited to what is required.

2. Medical Emergencies. Your PHI may be provided to medical personnel for a real medical emergency where you cannot provide written consent.

3. Management Audits, Financial Audits, and Program Evaluations. PHI may be disclosed internally and externally for these activities as permitted or required by law. Only the minimum necessary information will ever be disclosed for these purposes. Examples:

- a. HCG may perform a financial audit of its CECs.
- b. Federal and State grants may require evaluation of a CEC to ensure compliance.

4. Public Health. CECs may disclose records for public health purposes, as required by law.

- a. **Reporting disease or injury.** Covered entities may be required to report certain diseases to the Hamilton County Health Department, which reports to the Tennessee Department of Health.
- b. **Conducting public health surveillance, investigations, or interventions.** The Health Department conducts public health surveillance, investigations, and interventions, such as in cases of Tuberculosis.
- c. **Child abuse or neglect.** HCHD is authorized to receive reports of child abuse or neglect. CECs must report child abuse or neglect to the HCHD.
- d. **Quality, safety, or effectiveness of a product or activity regulated by the FDA.** Your PHI may be disclosed to the Food and Drug Administration (FDA) where your health may be threatened by an error in the manufacture, labeling, or sale of a product under FDA jurisdiction. The information that is disclosed will be used only for the purpose of notifying you or your physicians of any potential danger.

- e. **Persons at risk of contracting or spreading a disease.** The Health Department may disclose PHI, as needed, to notify a person that they have been exposed to a communicable disease.
- f. **Workplace medical surveillance.** If the Health Department provides a health care service to you at the request of your employer, the Health Department may disclose your PHI to your employer for the purposes of workplace medical surveillance or the evaluation of work-related illness and injuries. The provider must provide you written notice that the information will be disclosed to your employer.
- 5. **Serious threat to health or safety.** In very specific circumstances, CECs may disclose PHI to avert a serious threat to health or safety.
- 6. **Correctional institutions and custodial situations.** CECs may share PHI with jails for treatment or for safety purposes of the jail. The right to notice does not apply to inmates.
- 7. **Decedents.**
 - a. **Coroners and medical examiners.** CECs may disclose PHI to a coroner or medical examiner for the purpose of identifying a deceased person, determining a cause of death, or other duties.
 - b. **Funeral directors.** CECs may disclose PHI to funeral directors as necessary to carry out their duties with respect to the decedent.
- 8. **Worker's Compensation.** CECs may disclose PHI to comply with workers' compensation laws.
- C. Your **written authorization** is required for all other requests. HIPAA allows HCG to require the use of its form for record requests. HCG asks that you use its form when making a request for records. Following are examples of requests requiring written authorization:
 - 1. **Psychotherapy notes and SUD counseling notes** for any use or disclosure, except for the following:
 - a. Use by the person who created these records for your treatment;
 - b. Use or disclosure by the CEC for its own training programs; or
 - c. Use or disclosure by the CEC to defend itself in a legal action that you may bring.
 - 2. **Scientific Research.** CECs will never use or disclose your PHI for scientific research without your express consent, unless an Institutional Review Board (IRB) or privacy board grants an official waiver or alteration of consent.
 - 3. CECs will never use or disclose your information for any of the following:
 - a. **Marketing.**
 - b. **Sale of your PHI.**
 - c. **Fundraising.**
 - 4. Requesting a copy of your record or requesting your record be sent to another person/organization.

II. YOUR PRIVACY RIGHTS. You have the right to:

- A. Take back (revoke) your consent at any time, but taking it back does not undo actions already taken based on your prior consent. There may be consequences in taking back your TPO consent or consent where your treatment is court ordered. You may take back your consent by notifying the HCG department providing you treatment.
- B. Tell a CEC to disclose your information with your family, close friends, or others involved in your care.
- C. Request and obtain restrictions of disclosures of PHI and SUD treatment records to your health plan for those services that you have paid for in full at the time of service.
- D. Receive confidential communications of your PHI.
- E. Inspect and copy your PHI.
- F. Request amendment to your PHI. We will review your request, and will notify you in writing if it is denied.
- G. Receive an accounting of disclosures of your PHI for the past six (6) years. Upon request, SUD programs must provide a reporting of accounting of disclosures for the past three (3) years.
- H. A list of disclosures by an intermediary for the past three (3) years.
- I. Obtain a copy of this Joint Notice from any CEC upon request, in person, or by email.
- J. To exercise any of your rights, contact HCG's Privacy Officer listed below.

III. HAMILTON COUNTY GOVERNMENT'S DUTIES.

- A. Maintain the privacy of your records.
- B. Provide you with a Joint Notice on your first date of service or, in emergency situations, as soon as is possible.
- C. Document that you received or were offered a copy of this Joint Notice.
- D. Notify you following a breach of your records.
- E. Follow the rules in the current Joint Notice.
- F. Prominently post the current version of the Joint Notice on the website where information is provided to the public about CEC services.
- G. Prominently post the current version of the Joint Notice on the CEC's website.
- H. Prominently post a copy of the current version of the Joint Notice in each CEC's physical location.
- I. Notify recipients of Part 2 records, in writing, that "42 C.F.R. Part 2 prohibits unauthorized use or disclosure of these records" and include a copy of your written consent with each disclosure of Part 2 records.
- J. HCG reserves the right to change the terms of this Joint Notice and to make the new Joint Notice provisions effective for all PHI that it maintains. When its Joint Notice is revised and approved by the County Commission, all CEC websites and locations will be updated with the revision.

IV. COMPLAINTS.

- A. You may complain to Hamilton County Government and to the Secretary of the U.S. Department of Health and Human Services, if you believe your privacy rights have been violated.
 - 1. **Hamilton County Government:** For more information about how your information may be used and disclosed, your rights, our responsibilities, or how to file a complaint, please contact the HCG Privacy Officer, Angela M. Duncan, RHIA, CHPS:
Hamilton County Attorney's Office, Attention: Privacy Officer
625 Georgia Avenue, Room 204, Chattanooga, TN 37402-1956
Phone Number: 423-209-5989 or 1-833-484-8671/Email Address: HIPAA@HamiltonTN.gov
 - 2. **U.S. Department of Health and Human Services:** To file a complaint with the U.S. Department of Health and Human Services, contact the HHS Office for Civil Rights or access <https://www.hhs.gov/hipaa/filing-a-complaint/index.html>. You are not required to report an alleged violation to either the Secretary or Part 2 program, but you may report to either or both.
U.S. Department of Health & Human Services
200 Independence Ave, SW, HHH Building, Room 509H, Washington, DC 20201
TTY 886-778-4989/Phone Number: 877-696-6775
- B. Neither HCG nor its CECs will retaliate against you for filing a complaint.