

## SILICON VALLEY INDEPENDENT LIVING CENTER

**Main Office**  
2306 Zanker Road  
San Jose, CA 95131  
PH: 408.894.9041  
TTY: 408.894.9012  
FAX: 408.894.9050



**Branch Office**  
7800 Arroyo Circle, Suite A  
Gilroy, CA 95020  
PH: 408.846.1480  
TTY: 408.842.2591  
FAX: 408.842.2321

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### Notice of Privacy Practices

**The 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.**

- I. **SVILC has a legal duty to safeguard your Protected Health Information (PHI).** This is information that can be used to identify you, and would include:
1. Your name, address, and phone number;
  2. Name of relatives and employers;
  3. Your Birth date;
  4. Your Email addresses and fax numbers
  5. Your social security number
  6. Information created or received about your past, present, or future health or condition;
  7. The provision of health care to you;
  8. How your health care has been paid for.

SVILC must provide you with this Notice about our privacy practices, and explain how, when, and why we will “use” or “disclose” your PHI.

A “use” of PHI occurs when we share, examine, utilize apply or analyze such information within the agency. This may happen when you are working with more than one Service provider at SVILC or when you have an Independent Living Plan involving multiple goals.

PHI is “disclosed” when it is released, transferred, has been given to, or is otherwise divulged to a third party outside SVILC. With some exceptions, SVILC may not use or disclose any more of your PHI than is necessary to accomplish the purpose for which the disclosure is made.

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SVILC is legally required to follow the privacy practices described in this Notice, but we reserve the right to change the terms of this Notice and our privacy policy at any time. Any changes will apply to the PHI already on file. Before we make any important changes to our policies we will change this Notice and post a new copy in the office and on our website. You can request a copy of the Notice from the front desk Staff, or you can view it at [www. SVILC.org](http://www.SVILC.org).

## II. How SVILC may use and disclose your PHI.

SVILC may use or disclose your PHI for many reasons. For some of these uses or disclosures we will need your written permission, but for others your permission is legally not required. However, when possible, SVILC staff will discuss with you the need for disclosure and ask for your permission, even when it is not legally necessary. Listed below are the different categories of SVILC's uses and disclosures along with some examples of each.

### A. Uses and Disclosures Relating to Treatment, Payment or Agency Operations that do not require your prior written consent.

1. For treatment; Counselors and Social Workers at SVILC may use or disclose your PHI to physicians, psychiatrists, psychologists, and other licensed health care workers who provide you with health care services or are involved in your care. For example, if a psychiatrist is treating you, a licensed Counselor working with you in psychotherapy may disclose your PHI to your psychiatrist in order to coordinate the therapy. As noted above, we will whenever possible discuss the need for disclosure with you first and obtain your written permission. But legally we need not do so.
2. To obtain payment for services; SVILC can use and disclose your PHI to bill and collect payment for services. For example, if you are a Department of Rehabilitation consumer referred for services at SVILC, we may disclose your PHI to DR in order to obtain payment for those services.

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3. For agency operations; SVILC can use or disclose your PHI to operate satisfactorily. For example, we may use your PHI to evaluate the quality of service we provide. We may also provide your PHI to our attorney make sure that we are complying with all applicable laws.
4. Other disclosures; SVILC may use or disclose your PHI to others without your consent in certain situations. For example, your consent isn't required if you need emergency treatment, as long as we attempt to get your consent after treatment is rendered, or if we try to get your consent but you are unable to communicate with us.

### **B. Certain uses and disclosures that do not require your consent at all.**

1. When disclosure is required by federal, state, or local law; judicial or administrative proceedings; or law enforcement; for example, we may make disclosure to applicable officials when law requires that we report instances of abuse or neglect.
2. To prevent harm; in order to avoid a serious threat to the health or safety of a person or the public we may provide PHI to law enforcement personnel or personas able to prevent such harm.
3. For public health activities; for example, we may have to report information about you to the county coroner.
4. For health oversight activities; for example, we may provide information to assist the government when it conducts an investigation of a health care provider or organization.
5. For specific government functions; we may disclose PHI of military personnel and veterans in certain situations. We are allowed to disclose PHI for national security purposes.
6. For appointment reminder;
7. If you are an Inmate; if you are an inmate of a correctional institution or under the custody of a law enforcement official, we may disclose your PHI to the institution or law enforcement official.

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**C. Certain uses and disclosure require you to have the opportunity to object.**

Disclosures to family, friends or others; SVILC may provide your PHI to a family member or other person that you indicate is involved in your care unless you object in whole or in part.

**D. Other uses and disclosures required your prior written authorization.**

In any other situation not described in section II A, B, and C above, SVILC will ask for your written authorization before using or disclosing any of your PHI. If you chose to sign an authorization to disclose your PHI, you can later revoke such authorization in writing to stop any future uses and disclosures of you PHI by SVILC.

### **III. Rights you have regarding your PHI.**

**A. You have the right to request limits on uses and disclosure of your PHI.**

You have the right to ask that SVILC limit how your PHI is used and disclosed. SVILC has the right to refuse your request. If we accept your request SVILC will put any limits in writing and abide by them except in emergencies. You may not limit the uses or disclosures that SVILC is legally required or allowed to make.

**B. You have the right to choose how SVILC sends your PHI to you.**

You have the right to ask that SVILC send information to you at an alternate address or by alternate means (for example, fax instead of regular mail), or in an alternate format, such as Braille. SVILC must agree to your request as long as it is in a format that we can reasonably provide.

**C. You have the right to see and get copies of your PHI.**

In most cases, you have the right to look at or get copies of your PHI

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contained in SVILC records, but you must make the request in writing. SVILC will respond within 30 days. In certain situations we may deny your request. If we do, we will tell you, in writing, the reasons for the denial and explain your right to have the denial reviewed. If you request copies of your PHI, SVILC will charge not more than \$0.25 for each page. Instead of providing the PHI you requested SVILC may provide you with a summary or explanation of the PHI as long as you agree to that.

### **D. You have the right to get a list of the disclosures SVILC has made.**

You have the right to get a list of instances in which SVILC has disclosed your PHI. The list will not include uses or disclosures that you have already consented to. The list also won't include uses and disclosures made for national security purposes, to corrections or law enforcement personnel, or disclosures made before April 15, 2003.

SVILC will respond to your request for an accounting of disclosures within 60 days of receiving your request. The list will include the date of the disclosure, to whom the PHI was disclosed (including their address if known), a description of the information disclosed, and a reason for the disclosure.

### **E. You have the right to correct or update your PHI.**

If you believe that there is a mistake in your PHI or that a piece of important information is missing, you have the right to request that SVILC correct the record. You must provide the request and the reason for the request in writing. SVILC will respond within 60 days of receiving your request to correct or update your PHI. We may deny your request in writing if the PHI is (a) correct and complete, (b) not created by SVILC (c) not allowed to be disclosed, (d) not part of our records. The written denial will state the reasons for the denial and explain your right to file a written statement of disagreement with the denial. If you do not choose to file a written statement of disagreement, you have the

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right to request that your request and our denial be attached to all future disclosures of your PHI. If SVILC agrees to your request, we will make the change to your PHI, tell you that we have done so, and inform other that need to know about the change to your PHI.

### **F. You have the right to get this notice by mail.**

You have a right to receive a copy of this notice by e-mail and the right to request a paper copy.

## **IV. How to complain about SVILC's privacy practice and policy.**

If you think that SVILC has violated your privacy rights, or you disagree with a decision made about access to your PHI, you may file a complaint according you SVILC's Grievance Policy, with the Client Assistance Program (CAP), or with the person listed in Section V below. You may also send a written complaint to the Secretary of the Department of Health and Human Services at 200 Independence Avenue S.W., Washington, D.C. 20201. SVILC will take no retaliatory action against you if you file a complaint.

## **V. Person to contact for information about this notice or to complain about the SVILC privacy policy.**

If you have any questions about this notice or any complaints about SVILC's privacy policies, or would like to know how to file a complaint with the Secretary of Health and Human Services, please contact the HIPPA Official at the Silicon Valley Independent living Center, 2306 Zanker Road, San Jose, CA 95131. Telephone Number (408) 894-9041.

## **VI. Effective date of this notice: April 14, 2003**