



CONFIDENTIALITY OF ALCOHOL AND DRUG ABUSE CLIENT RECORDS

In addition to the protections provided by the Minnesota Government Data Practices Act, the confidentiality of alcohol and drug abuse patient records maintained by this program is protected by Federal law and regulations. Generally, the program may not say to a person outside the program that a patient attends the program, or disclose any information identifying a patient as an alcohol or drug abuse UNLESS:

1. The patient consents in writing;
2. The disclosure is allowed by a court order; or
3. The disclosure is made to medical personnel in medical emergency or to qualified personnel for research, audit or program evaluation.

Crow Wing County Social Services is hereby informing you that if your chemical dependency case is a result of a criminal offense, we may share information with your probation officer or the courts. If CD services are provided as a result of a motor vehicle related charge, we will also share information with the Minnesota Department of Public Safety.

Violation of the Federal law and regulations by a program is a crime. Suspected violations may be report to appropriate authorities in accordance with Federal regulations.

Federal law and regulations do not protect any information about a crime committed by a patient either at a program or against any person who works for the program or about any threat to commit such a crime.

Federal law and regulations do not protect any information about suspected child abuse or neglect from being reported under State law to appropriate State or local authorities. (See 42 U.S.C. 290dd-3 and 42 U.S.C. 290ee-3 for Federal laws and 42 CFR Part 2 for Federal regulations.)

RULE 25 CHEMICAL USE ASSESSMENTS

If you have been assessed under part 9530.6615 and disagree with the treatment planning decision proposed by the assessor, you have the right to request a second chemical use assessment. This request must be in writing or on a form approved by the commissioner, and must be received by the county within five working days of completion of the original assessment or before the you enter treatment, whichever occurs first.

The county must authorize a second chemical use assessment by a different qualified assessor within five working days of receipt of your request for reassessment. If you agree with the outcome of the second assessment, the county shall place the client in accordance with part 9530.6622 and the second assessment. If the client disagrees with the outcome of the second assessment, the county must place the client according to the assessment that is most consistent with the client's collateral information.

You have a right to appeal. Clients who disagree with the level of chemical dependency care proposed after the second assessment or who are denied an assessment have the right to a fair hearing. Appeals must be submitted in writing within 30 days of the denial or assessment. A client has the right to a fair hearing, if the client:

- A. is denied an initial assessment or denied an initial assessment within the timelines;
- B. is denied a second assessment or denied a second assessment within the timelines;
- C. is denied placement or a placement within timelines;

- D. disagrees before services begin with the services or length of services that the placing authority proposes to authorize;
- E. is receiving authorized services and is denied additional services that would extend the length of the current services beyond the end date specified in the service authorization;
- F. is denied a placement that is appropriate to the client's race, color, creed, disability, national origin, religious preference, marital status, sexual orientation, or sex;
- G. and if a client is placed with a faith-based treatment provider, you must be allowed to object to the placement. If the client objects, the client must be given an alternate referral.

Acknowledgement

I have received a copy of the Crow Wing County's Privacy Notice. I have had an opportunity to review it, and to ask questions.

I also received a copy of the additional protections provided by the Minnesota Government Data Practices Act, the confidentiality of alcohol and drug abuse patient records maintained by the program is protected by Federal law and regulations. This notice also included my right to request a second chemical use assessment, my right to appeal and my right to a fair hearing.

I understand that by submitting a written request, that I may receive a copy of my file; request an amendment to my file; request alternative communication methods, request limited distribution of information in my file; or obtain an accounting of disclosures.

Print Consumer's Signature: _____

Consumer's Signature: _____ Date: _____