

**Notice of Privacy Practices (“NPP”) of
Montefiore Medical Center 42 CFR Part 2 Substance Use Disorder (“SUD”) Programs
Nyack Recovery Center Outpatient Program**

FEDERAL LAW PROTECTS THE CONFIDENTIALITY OF SUD PATIENT RECORDS.

This Notice describes:

- How health information about you may be used and disclosed.
- Your rights with respect to your health information.
- How to file a complaint concerning a violation of the privacy or security of your health information, or of your rights concerning your information.

YOU HAVE A RIGHT TO A COPY OF THIS NOTICE (IN PAPER OR ELECTRONIC FORM) AND TO DISCUSS IT WITH MONTEFIORE NYACK DIRECTOR OF COMPLIANCE & PRIVACY AT 845-348-2034 IF YOU HAVE ANY QUESTIONS

I. *Uses and Disclosures.* SUD treatment program records that we maintain are protected under federal law (42 C.F.R. Part 2). We will only use and disclose these SUD treatment records (“SUD Records”) as described in this Notice, or with your written consent.

a. With your written consent, your SUD Records may be used or disclosed for the following purposes in accordance with this Notice and the Health Insurance Portability and Accountability Act (“HIPAA”):

- Treatment, which includes the provision, coordination, or management of health care and related services.
- Payment, which includes the billing and collection of payment for health care and related services.
- Certain health care operations activities, which include quality improvement assessments and measures; service-level audits for compliance with fraud and abuse laws; accreditation, certification, licensing, or credentialing activities; audits of health care providers’ qualifications and performance; and customer service and grievance management.
- As otherwise required by applicable law.

b. Without your consent, we may use and disclose your SUD Records as follows:

- We may disclose SUD Records to a qualified service organization (“QSO”) as necessary for the QSO to provide its services to us. A QSO is any individual or entity that provides services to us and has a written agreement with us acknowledging that: (i) it is fully bound by federal confidentiality laws in its receiving, storing, processing or otherwise handling any SUD Records from us; and (ii) if necessary, it will resist any efforts to obtain access to SUD Records in judicial proceedings, except as permitted by law.
- We may disclose SUD Records to medical personnel in the event of an emergency.
- We may use or disclose SUD Records for management and financial audits, and program evaluation.
- We may use or disclose SUD Records for public health purposes, if the SUD Records have been de-identified in compliance with HIPAA.

c. Records that are disclosed to an SUD treatment program regulated under 42 CFR Part 2, a HIPAA covered entity, or a HIPAA business associate pursuant to your written consent for treatment, payment, and health care operations may be further disclosed by that SUD treatment program, HIPAA covered entity, or HIPAA business associate, without your written consent, to the extent the HIPAA regulations permit such disclosure.

d. We may use or disclose records to fundraise only if we first provide you with a clear and conspicuous opportunity to elect not to receive fundraising communications.

e. You may provide a single consent for all future uses or disclosures of your SUD Records for treatment, payment, and health care operations purposes in accordance with HIPAA and this Notice.

f. You may revoke your consent at any time, except to the extent that we have already acted in reliance upon it. You may revoke your consent by submitting a request in writing to ROI@montefiorenyack.org, or you may request reasonable accommodation for an alternative revocation process by contacting the Montefiore Nyack Department of Compliance at 845-348-2034.

g. If you were mandated to treatment through the criminal legal system (including drug court, probation, or parole) and you sign a consent authorizing disclosures to elements of the criminal legal system such as the court, probation officers, parole officers, prosecutors, or other law enforcement, your right to revoke consent may be more limited and should be clearly explained on the consent you sign.

- h. We will not use or disclose SUD Records, or testimony relaying the content of such records, in any civil, administrative, criminal, or legislative proceedings against you unless based on your specific written consent or a court order. Records will only be used or disclosed based on a court order after notice and an opportunity to be heard is provided to you (the patient) and/or the holder of the record, where required by 42 USC § 290dd-2 and 42 CFR Part 2. A court order authorizing use or disclosure must be accompanied by a subpoena or other similar legal mandate compelling disclosure before the record is used or disclosed.
- II. *Your Rights.* You have the following rights, which you can exercise by contacting the Montefiore Nyack Department of Compliance at 845-348-2034.
 - a. You have the right to request restrictions of disclosures, for purposes of treatment, payment, and healthcare operations, including when you have previously provided written consent.
 - b. You have the right to request and obtain restrictions of disclosures to your health plan for those services for which you have paid in full.
 - c. You have the right to an accounting of disclosures of electronic records under this part for the past three years, if such right is available under HIPAA.
 - d. You have the right to an accounting of disclosures by an intermediary for the preceding three years, including information about who received your protected records, the date of the disclosure, and a brief description of the information that was disclosed. Intermediaries may include health information exchanges, research institutions providing treatment, accountable care organizations, or care management organizations. You may submit your request to the Director, Health Information Management ("HIM") Operations at ROI@montefiorenack.org.
 - e. You have the right to obtain a paper or electronic copy of this notice from the Program Director upon request.
 - f. You have the right to elect not to receive fundraising communications from us.
- III. *Our Duties.* We are required by law to maintain the privacy of records, to provide patients with notice of our legal duties and privacy practices with respect to records, and to notify affected patients following a breach of unsecured records.
 - a. We are required to abide by the terms of the Notice currently in effect.
 - b. We reserve the right to change the terms of this Notice and to make the new notice provisions effective for SUD Records that we maintain. We will post the revised Notice online with changes effective as of the date at the bottom of the Notice.
- IV. *Complaints.* If you believe that your privacy rights have been violated, you may contact us by telephone or file a complaint with us at:

Sabrina Mulligan, Director, Compliance & Privacy

312 Route 59, Nyack, NY 10960

Telephone: 845-348-2034

Email: smulligan@montefiorenack.org

Compliance Hotline: 888-568-8548

Compliance Hotline Web Portal: <https://montefiore.alertline.com>

You may also file a complaint with the Secretary of the U.S. Department of Health and Human Services, as follows:

Office for Civil Rights

U.S. Department of Health and Human Services

200 Independence Avenue, SW

Room 509F, HHH Building

Washington, D.C. 20201

Phone: (800) 368-1019 | Fax: (202) 619-3818 | TDD: (800) 537-7697

Email: OCRPrivacy@hhs.gov

Online: <https://www.hhs.gov/hipaa/filing-a-complaint/index.html>

We will not retaliate against you for filing a complaint.

FOR ADDITIONAL INFORMATION, CONTACT: Deborah Zerner, Director, Recovery Center, at phone #845-348-6775 or dzerner@montefiorenack.org

EFFECTIVE DATE: February 16, 2026