



ROCKBRIDGE AREA COMMUNITY SERVICES

NOTICE OF PRIVACY PRACTICES

Effective Date: March 6, 2026

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU, INCLUDING CERTAIN SUBSTANCE USE DISORDER (SUD) RECORDS, MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.



OUR LEGAL DUTIES

Rockbridge Area Community Services (RACS) is required by law to maintain the privacy and security of your protected health information (PHI). This includes medical and behavioral health records protected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), as well as records related to substance use disorder (SUD) diagnosis, treatment, or referral for treatment that are protected by 42 CFR Part 2.

- Follow the privacy practices described in this Notice
- Provide you with this Notice
- Protect the privacy and security of your information
- Notify you promptly if a breach occurs that may have compromised the privacy or security of your information

CARES ACT AND SUBSTANCE USE DISORDER RECORDS

Federal law, including the Coronavirus Aid, Relief, and Economic Security (CARES) Act, requires certain changes to how SUD records are used and disclosed. The CARES Act aligns portions of 42 CFR Part 2 with HIPAA while maintaining additional protections for SUD records.

- You may provide a single written consent for the use and disclosure of your SUD records for treatment, payment, and health care operations (TPO).
- Once disclosed pursuant to a valid consent, SUD records may be redisclosed as permitted by HIPAA, subject to important legal limitations.
- SUD records may not be used or disclosed in civil, criminal, administrative, or legislative proceedings against you without your specific written consent or a court order, as required by law.
- Breaches involving SUD records are subject to HIPAA breach notification requirements.

YOUR RIGHTS

You have the right to:

- Get an electronic or paper copy of your medical record
- Inspect or request copies of your medical records
- Ask us to correct your medical record
- Request confidential communications or alternative methods of contact
- Request limits on what we use or share
- Receive an accounting of disclosures, including disclosures of SUD records as required by 42 CFR Part 2
- Request a list of health care providers who have received or accessed your information through certain third-party systems, such as health information exchanges or other secure electronic networks we use to share records.

- If you pay for a service or health care item out-of-pocket in full, you can ask us not to share that information with your health plan for payment or health care operations, and we will agree unless we are required by law to share it
- Choose someone to act for you (medical power of attorney or legal guardian)
- Receive a paper or electronic copy of this Notice
- File a complaint if you believe your privacy rights have been violated

We will not retaliate against you for filing a complaint.

ACCESS TO INFORMATION AND INFORMATION BLOCKING

You have the right to access your health information as permitted by law. RACS will not engage in practices that unlawfully interfere with your access to electronic health information.

However, federal and state privacy laws, including HIPAA and 42 CFR Part 2, may require your written consent or authorization before certain information—such as SUD records—can be accessed, used, or disclosed. When disclosure is restricted by law, our compliance with these privacy requirements is permitted under federal information blocking exceptions and is not considered information blocking.

YOUR CHOICES

For certain information, you can tell us your choices about what we share. If you have a clear preference, tell us and we will follow your instructions.

You have the right and choice to tell us to:

- Share information with family, close friends, or others involved in your care
- Share information in disaster relief situations

If you are unable to express your preference, we may share information, in accordance with the law, if we believe it is in your best interest and necessary to reduce a serious and imminent threat to health or safety.

We will never share your information without your written authorization for:

- Marketing purposes
- Sale of your information
- Most sharing of psychotherapy notes

HOW WE MAY USE AND DISCLOSE YOUR INFORMATION

Treatment, Payment, and Health Care Operations (TPO)

For programs and services that are subject only to HIPAA:

We may use and disclose your protected health information for treatment, payment, and health care operations **without your written consent**, as permitted by HIPAA.

Examples include:

- Coordinating or managing your care with other providers
 - Billing, claim processing, and payment activities
 - Quality improvement, accreditation, licensing, and operational activities
-

For programs or records that are subject to 42 CFR Part 2 (Substance Use Disorder records):

Because federal law provides extra protections for Substance Use Disorder (SUD) treatment records, we **must obtain your written consent** before using or disclosing SUD records for treatment, payment, or health care operations.

These records **cannot** be used or disclosed without your written consent unless allowed by specific Part 2 exceptions or a valid court order.

Integrated Services:

If you receive services from both HIPAA-only programs and Part 2 programs, we will apply the stricter protections of Part 2 to the SUD portions of your record.

Redisclosure of SUD Records

When we share your information with another person or organization, what they may do with it depends on the type of record we send.

HIPAA-Protected Health Information (PHI)

For information protected only by HIPAA (such as most medical or behavioral health records that are *not* created by our SUD Treatment Programs):

- The person or organization who receives your information **may share it again**,
 - And if they do, it **may no longer be protected by HIPAA**.
- Once HIPAA-protected information leaves our organization, federal law allows some redisclosures.

Substance Use Disorder (SUD) Treatment Records Protected by 42 CFR Part 2

Some of your records are protected by a stricter federal law called **42 CFR Part 2**.

These protections apply **only** to records that are **created by our SUD Treatment Programs** and that directly relate to your **SUD treatment, diagnosis, or referral for SUD treatment**.

For these specific SUD treatment records:

- The person or organization who receives them **cannot redisclose them** to anyone else,
- **Unless** you sign a written consent that specifically permits redisclosure,
- Or a limited exception under federal law applies (such as a medical emergency or a special court order).

We always apply **the stricter Part 2 protections** to SUD treatment records, even when other kinds of information may be shared differently.

However, SUD records (and testimony regarding such records) may not be used or disclosed in civil, criminal, administrative, or legislative proceedings against you without your specific written consent or a court order issued with sufficient notice, as required by law.

Other Permitted Uses and Disclosures

We may also use or disclose your information, as allowed or required by law, for:

- Public health activities
- Health oversight and compliance activities
- Research, with required safeguards
- Reporting abuse, neglect, or domestic violence
- Preventing or reducing a serious threat to health or safety
- Workers' compensation claims
- Law enforcement or judicial proceedings, as permitted by law
- Responding to lawsuits and legal actions or as required by a court order, subpoena, or other lawful process.

SUBSTANCE USE DISORDER (SUD) RECORDS – SPECIAL PROTECTIONS

- Records related to substance use disorder diagnosis, treatment, or referral for treatment are protected by 42 CFR Part 2.
- These records generally require your written consent for disclosure
- You have the right to request restrictions on disclosures of SUD records
- You have the right to receive an accounting of disclosures of SUD records
- You have the right to file a complaint with the U.S. Department of Health and Human Services

When multiple laws apply to the use or disclosure of information (e.g. state vs federal or HIPAA vs SUD records) will always follow the applicable law which provides the greatest level of privacy for your information.

BUSINESS ASSOCIATES

We may share your information with business associates that perform services on our behalf, such as electronic health records, patient portals, billing, accreditation, or quality management systems. These entities are required by law to protect your information.

YOUR RIGHT TO REVOKE AUTHORIZATION

You may revoke any written authorization at any time by submitting your request in writing. Revocation will not apply to information already disclosed based on your authorization.

CHANGES TO THIS NOTICE

We may change the terms of this Notice, and the changes will apply to all information we maintain about you. The revised Notice will be available upon request, in our offices, and on our website.

COMPLAINTS AND CONTACT INFORMATION

If you have questions or concerns about this Notice or believe your privacy rights have been violated, contact:

RACS Privacy Officer

Donald Sherman, Director of Operations

Phone: (540) 462-6650

Address: 241 Greenhouse Rd, Lexington, VA 24450

You may also file a complaint with:

U.S. Department of Health and Human Services – Office for Civil Rights

200 Independence Avenue, S.W.

Washington, D.C. 20201

Phone: 1-877-696-6775

Website: www.hhs.gov/ocr/privacy/hipaa/complaints/

This Notice replaces all prior versions and is effective March 6, 2026.