

**PRIVACY AND ALCOHOL AND DRUG ABUSE RECORDS**

State laws and federal rules protect your placement and treatment records. The federal rule is Title 42, part 2 of the Code of Federal Regulations. The state laws of Minnesota Statutes, chapter 13, and Minnesota Statutes section 254A.09. The agency must not identify you to others without your consent. Your consent must be in writing.

You do not have to answer the questions on this form. However, the state will not pay for your treatment unless you answer the questions.

Your records are private. Agency employees working on your placement in treatment can see the records. Workers in this agency who arrange for payment have access to your records. Workers from the Minnesota Department of Human Services who send out treatment payments or check county records also have access to your records.

Your records may be released outside the agency with your consent. Your records may also be released under the following conditions:

1. You are not identified as an alcohol or drug abuser in any way. This means a treatment center that treats other problems can release your name, but not say you are receiving alcohol or drug services.
2. A court orders the release of records after a hearing.
3. The disclosure is made during a medical emergency to medical treatment providers.
4. The disclosure is made to an agency which provides services such as bill collecting to the program.
5. A child abuse or neglect report is made. The report identifies the child, the child's caretaker and the alleged abuse. The amount and type of abuse and the identity of the reporter are also in the report. The abuse may be reported to local welfare or police agencies.
6. Staff in this agency and the Minnesota Department of Human Services need the information to do their jobs.

Your alcohol or drug abuse patient records may not be used in criminal investigations, crimes in programs or against program workers may be reported to police. A threat to commit a crime also may be reported to police. A court may order release of records if the crime is very serious.

You have the right to see your record. You have the right to obtain a copy of your record. The agency may charge you for the cost of finding the record and making copies. If you only want to see the record, the agency must provide it at no cost.

Breaking the federal privacy rule is a crime. The penalty is a fine of not more than \$500 for the first offence and not more than \$5,000 for repeated offenses.

Suspected violations may be reported to:

United States Attorney  
District of Minnesota  
300 South 4<sup>th</sup> Street, Room 600  
Minneapolis Minnesota 55401

**Vision Statement**

*Setting the standard for providing superior and efficient county government services through leadership, accountability and innovation to a growing and diverse society.*

622 South Front Street  
St Peter MN 56082-2106  
Telephone: (507) 934-8559  
Fax: (507) 934-8552

2070 Howard Drive W  
N Mankato MN 56003-1518  
Telephone: (507) 387-4556  
Fax: (507) 934-8552

**Mission Statement**

*Providing efficient services with innovation and accountability.*

An Equal Opportunity/Affirmative Action Employer  
This Institution is an Equal Opportunity Provider

You may complain if your record is wrong. You may also complain if your record is not complete. The agency must reply within 30 days.

If you disagree with the agency's decision, you may appeal to the state department of administration. Your appeal should include:

1. Your name, address, and telephone number
2. The name and address of the agency which has the records
3. Description of the dispute and the date it happened, and
4. The relief you want.

If the agency breaks the state privacy law, you may also sue. Damages of not less than \$100 or more than \$10,000 can be assessed by a court against the agency. Workers who break this law are guilty of a misdemeanor.

### **Discrimination Complaint Process**

If you believe you have been discriminated against because of your race, color, creed, religion, national origin, disability, sex, sexual orientation, public assistance status, or age while requesting or receiving alcohol or other drug abuse treatment services, you may file a discrimination complaint with one or more of the agencies listed below:

Minnesota Department of Human Services  
Office for Equal Opportunity  
PO Box 64997  
St Paul MN 55164

Minnesota Department of Human Rights  
Army Corps of Engineers Center  
190 East Fifth St. Suite 700  
St Paul MN 55101

U.S. Department of Health and Human Services  
Office for Civil Rights, Region V-Chicago  
233 North Michigan Ave. Suite 240  
Chicago IL 60601-5519

Signed: \_\_\_\_\_

Date: \_\_\_\_\_