

**Instructions:** This document should be given to children who are less than 18 years of age and who are eligible to enroll in a Health Home, and to their parents, guardians or legally authorized representatives. This document should be reviewed with them prior to completion of *Health Home Enrollment and Information Sharing Consent For Use with Children Under 18 Years of Age* (DOH-5201). However, children who are parents, pregnant, and/or married, and who otherwise are capable of consenting (18 years of age or older), should not be given this document. They should be given the *Health Home Patient Information Sharing Consent* form (DOH-5055) to review and complete.

### 1. What is the Health Home Program?

The goal of the Health Home program is to make sure you get the care and services you need to be healthy. Maybe it's been hard for you to find the right doctor. Or, maybe you have been in the hospital or emergency room recently. The **Health Home** program has people who can help. These people are called "care managers". As a member of the Health Home program, you will have your own care manager.

Your care manager makes sure you have the services you need such as:

- appointments with healthcare providers (such as doctors, nurses, nutritionists, counselors, mental health providers, substance abuse providers, developmental disabilities providers),
- medications,
- a safe place to live,
- insurance to pay for your care and services, and/or
- transportation to your appointments.

Your care manager works with you to set up a care plan. A care plan lists your needs, your goals for each need, and what providers and services you need to reach your goals. The people and services involved in your care plan become your Health Home "team". To get everything you need, your team must talk to each other and share your health information.

Your care manager is there to help and answer your questions.

### 2. How do I qualify for a Health Home?

To be in a Health Home, you must:

- have one single qualifying condition or two or more chronic conditions,
- need a care manager to help you get your care and services, and
- have Medicaid.

### 3. What are the advantages of being in a Health Home?

- You have one care manager who is coordinating your care and services
- Your care manager can help you understand how to manage your healthcare and social needs
- You have a team of providers available to you for questions you may have
- Your care manager will make sure that your providers are talking to each other to help you stay healthy

### 4. How do I enroll in a Health Home?

Your parent, guardian, or legally authorized representative enrolls you in a Health Home by signing the *Health Home Enrollment and Information Sharing Consent For Use with Children Under 18 Years of Age* (DOH-5201).

For the purpose of enrollment, a legally authorized representative is a person or agency authorized by state, tribal, military or other applicable law, court order or consent to act on your behalf in making health care decisions.

### 5. Once you are enrolled in a Health Home, the Health Home and your providers will need to share your health information. What is "health information"?

Your health information includes general information about your health. It may include information regarding illnesses or injuries you have had, medical records, such as x-rays or tests results, or a list of prescription drugs you have taken. Your health information may relate to treatment for sensitive health conditions, including, but not limited to: HIV/AIDS; Sexually Transmitted Diseases; Mental Health Conditions; or Alcohol or Substance Abuse treatment.

## 6. What do we mean by “sharing” your health information?

People who are able to share your health information can:

- get,
- see,
- read,
- discuss, and/or
- copy your health information as allowed by law.

## 7. Why do the Health Home and providers need your health information?

Remember, it is important for all the people in your Health Home team to be able to talk to each other. This means they will need to share your health information. Your health information will be used to:

- Help you get care,
- Help you manage your care, and
- Make sure your health insurance is working and see what it pays for.

Health plans (insurance companies) cannot use this health information to decide if they will give you health insurance. They cannot use this information to decide to pay your medical bills. Health plans have their own forms to get this information.

## 8. Where will my health information come from?

Your health information comes from places and people that gave, or currently give, you health care or health insurance. These may include hospitals, doctors, pharmacies, laboratories, health plans (insurance companies), the Medicaid program, dentists, and other groups that share information.

## 9. Who can share my health information?

Your parent, guardian, or legally authorized representative will decide who shares your health information by completing *the Health Home Enrollment and Information Sharing Consent For Use with Children Under 18 Years of Age* form (DOH 5201), Section 1. For the purpose of sharing health information, a legally authorized representative is a person or agency authorized by state, tribal, military or other applicable law, court order or consent to act on behalf of a person for the release of medical information. If a local commissioner of social services is the person who consents to your health care, then he or she is also the person that will consent to share your health information.

In some situations, the law lets you decide who can share your health information. Here are some situations where you have control over your health information and who gets to share it, by completing *Health Home Enrollment and Information Sharing Consent For Use with Children Under 18 Years of Age* form (DOH 5201), Section 2:

- Family planning
- Emergency contraception
- Abortion
- Sexually Transmitted Infection Testing and Treatment
- HIV testing
- Prenatal Care, Labor/Delivery
- Drug and Alcohol Treatment
- Sexual Assault Services
- Mental Health and/or Developmental Disabilities Services – if you are over the age of twelve, your clinician may ask you before releasing information

New York State also has access to your health information because it pays for your Medicaid services. New York State may use your health information to learn more about the Health Home program to make changes and improve it.

## 10. What laws and rules cover how my health information can be shared?

There are several federal and state laws. These laws include New York Mental Hygiene Law Section 33.13 and 33.16, New York Public Health Law Article 27-F, and federal confidentiality rules, including 42 CFR Part 2 and 45 CFR Parts 160 and 164 (which are the rules referred to as the Health Information Portability and Accountability Act (HIPAA)). Medicaid confidentiality rules: N.Y. Social Services Law §§ 367(b)(4), 369(4), Social Security Act § 1902(a)(7), 42 C.F.R. § 431.300 et seq., 42 CFR 457.1110, 42 USC §1396a(a)(7); 10 NYCRR Part 300 – Statewide Health Information Network for New York (SHIN-NY) and, NY Mental Hygiene Laws 41.05, 41.07 and 41.13 describe the responsibility of the Local Government Unit (LGU) for administering the local services plan and for the LGU to provide or contract for the provision of services. The Health Home and providers that share the child’s health information must obey these laws and rules.

**11. What if a person uses my health information and I didn't agree to let them use it?**

If this happens, you can:

- call the Office of Civil Rights at 1-800-368-1019, or
- submit a written complaint at: <http://www.hhs.gov/ocr/civilrights/complaints/>

You may also want to:

- call one of the providers you have said can see your records,
- call your care manager or health home: \_\_\_\_\_ at \_\_\_\_\_, or
- call your Managed Care Plan if you belong to a Managed Care Plan.

If you experience discrimination because of the release or disclosure of a physical or psychiatric disability, substance or alcohol abuse treatment, or HIV/AIDS related information, you may contact the New York State Division of Human Rights at 1-888-392-3644. This agency is responsible for protecting your rights.

**12. Do I have to pay to be in a Health Home?**

No. The Health Home program is provided by Medicaid.

**13. Am I required to be in a Health Home?**

No. You are not required to be in a Health Home.

**14. If I don't enroll in a Health Home, will I still be able to get health services?**

Yes. You can still see your doctors and providers, get health services, and keep your health insurance.

**15. If I enroll in a Health Home today, can I leave the Health Home at any time?**

Yes. You can change your mind at any time and withdraw from the Health Home. However, your parent, guardian, or legally authorized representative will need to agree and contact your care manager, care management agency, or Health Home.

**16. How long does my consent last?**

Your consent will last until you leave the Health Home program, or if you are no longer eligible for a Health Home, or if the Health Home is no longer in business, or if you become the age or situation to self-consent and complete the Health Home Patient Information Sharing Consent form (DOH-5055)

**17. If I don't enroll in a Health Home today, can I change my mind later?**

Yes. You may be enrolled at any time, if you continue to be eligible.

**18. If I have questions about the Health Home Program, I can contact:**

\_\_\_\_\_ from \_\_\_\_\_ at \_\_\_\_\_  
Name of Care Manager, if known                      Name of Care Management Agency                      Phone Number

Name of Health Home: \_\_\_\_\_ Phone Number: \_\_\_\_\_