

COMMISSION/ADMINISTRATION
(575) 437-7427
FAX (575) 443-2904



1101 NEW YORK AVE.
ALAMOGORDO, NM 88310-8935

**State of New Mexico
County of Otero**

**Resolution No. 106-39/04-12-18
OTERO COUNTY MEDIA POLICY**

Whereas, the purpose of this policy is to guide employees in how to respond when contacted by the media for comment on Otero County business; and

Whereas, the definitions are as follows;

“Employee” refers to Otero County employees other than elected officials.

“Media” refers to individuals or organizations that report and comment on news, government activities, or public policy. The term media includes newspapers, magazines, television stations, radio stations, websites, and bloggers.

“Writing” and “written” refers to fixed forms of communication including handwriting, typing, printing, and electronic mail; and

Whereas, Referral of Media Inquiries;

General. When an employee is contacted by the media about county business requesting an interview, seeking comment on an issue, or asking for answers to questions, the employee is to refer the media to the county manager for action. Employees are to forward written requests to the county manager for response. Employees are not to grant interviews about county business without the consent of the

county manager. Employees are to request the media put questions in writing and to submit them to the county manager for a response.

Personnel. When an employee receives an inquiry about personnel issues, the inquiry should be forwarded to both the county manager and the human resources director for response.

Legal. When an employee receives an inquiry about a legal matter such as a lawsuit, investigation, or audit, the inquiry should be forwarded to both the county manager and the county attorney for response. Employees are not to comment on legal matters whether or not the case is closed without permission of the county manager; and

Whereas, in emergency situations, when public safety and health requires immediate responses, county employees charged with protecting public safety and health may distribute information to the media and respond to media inquiries about the peril to public safety and health without first consulting with the county manager. When this is done, the county manager shall be informed immediately of the communications, thus removing themselves from the conversation; and

Whereas, the Inspection of Public Records Act allows requests to be made orally, employees receiving such a request should inform the county's custodian of records in writing (1) describing the documents requested and (2) the contact information of the person making the request; and

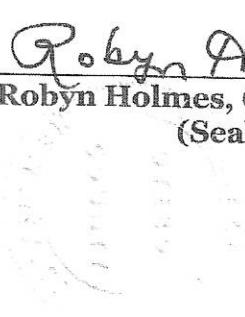
Whereas, Non-work Activities, this policy does not apply to employees speaking to the media outside of work about their own private activities. This policy does not prevent

county employees from speaking on behalf of private organizations they are involved with.

PASSED, APPROVED AND ADOPTED by the Board of County Commissioners of Otero County in a regular session on the 12th day of April 2018.

**BOARD OF COUNTY COMMISSIONERS
OTERO COUNTY, STATE OF NEW MEXICO**

ATTEST:


Robyn Holmes
Robyn Holmes, County Clerk
(Seal)

L. B.
Lori Bies, Chairwoman
Susan Flores
Susan Flores, Vice-Chairman
J. White
Janet White, Member

NOTICE OF PRIVACY PRACTICES (HIPAA)

THNM is committed to maintaining and protecting your privacy. We are required to protect the privacy of your individually identifiable health information, genetic information and other personal information and to send you this Notice about our policies, safeguards and practices. When we use or disclose your Protected Health Information (PHI), we are bound by the terms of this Notice.

How We Protect Your Privacy

We will not disclose your Protected Health Information (PHI) without your authorization unless it is necessary to provide your health benefits, administer your benefit Plan, support Plan programs or services, or as required or permitted by law. If we need to disclose your PHI, we will follow the policies described in this Notice to protect your privacy.

THNM protects your PHI by following processes and procedures for accessing, labeling, and storing confidential records. Access to our facilities is limited only to authorized personnel. Internal access to your PHI is restricted to Plan employees who need the information to conduct Plan business. We train our employees on policies and procedures designed to protect you and your privacy. Our Privacy Officer monitors the policies and procedures and ensures that they are being followed.

How We Use and Disclose Your Confidential Information

We will not use your PHI or disclose it to others without your authorization, except for the following purposes:

- **Treatment.** We may disclose your PHI to your Healthcare Provider for Plan coordination, or management of your Healthcare and related services.
- **Payment.** We may use and disclose your PHI to obtain payment of Premiums for your coverage and to determine and fulfill our responsibility to provide your Plan benefits. However, we are prohibited from using or disclosing genetic information to make any coverage determinations, such as eligibility or rate setting. We may also disclose your PHI to another Health Plan or a Healthcare Provider for its payment activities.
- **Healthcare Operations.** We may use and disclose your PHI for our Healthcare operations. We may also disclose your PHI to another Health Plan or a Provider who has a relationship with you, so that it can conduct quality assessment and improvement activities.
- **Appointment Reminders and Treatment Alternatives.** We may use and disclose your PHI for appointment reminders or send you information about treatment alternatives or other health-related benefits and services. You will have an opportunity to opt out of future communications.
- **Disclosure to Plan Vendors and Accreditation Organizations.** We may disclose your PHI to companies with whom we contract if they need the information to perform the services they provide to us. We may also disclose your PHI to accreditation organizations such as the National Committee for Quality Assurance (NCQA) when the NCQA auditors collect Health Employer Data and Information Set (HEDIS®) data for quality measurement purposes. When we enter these types of arrangements, we obtain a written agreement to protect your PHI.
- **Public Health Activities.** We may use and disclose your PHI for public health activities authorized by law, such as preventing or controlling disease or reporting child or adult abuse or neglect to government authorities. We may disclose PHI information to close friends or family members who are involved in or help pay for your care. We may also advise your family members or close friends about your Condition or location (such as that you are in the hospital).
- **Health Oversight Activities.** We may disclose your PHI to a government agency that is legally responsible for oversight of the Healthcare system or for ensuring compliance with the rules of

government benefit programs, such as Medicare or Medicaid, or other regulatory programs that need health information to determine compliance.

- **For Research.** We may disclose your PHI for research purposes, subject to strict legal restrictions.
- **To Comply with the Law.** We may use and disclose your PHI as required by law.
- **Judicial and Administrative Proceedings.** We may disclose your PHI in response to a court or administrative order and, under certain circumstances, a subpoena, warrant, discovery request, or other lawful process.
- **Law Enforcement Officials.** We may disclose your PHI to the police or other law enforcement officials, as required by law in compliance with a court order, warrant, or other process or request authorized by law to report a crime or as otherwise permitted by law.
- **Health or Safety.** We may disclose your PHI to prevent or lessen a serious and imminent threat to your health or safety or the health and safety of the general public or other person.
- **Government Functions.** Under certain circumstances, we may disclose your PHI to various departments of the government such as the U.S. military or the U.S. Department of State.
- **Workers' Compensation.** We may disclose your PHI when necessary to comply with Workers' Compensation laws. State law may further limit the permissible ways we use or disclose your PHI. If an applicable state law imposes stricter restrictions, we will comply with that state law.

Uses and Disclosures with Your Written Authorization

We will not use or disclose your PHI for any purpose other than the purposes described in this Notice without your written authorization. The written authorization to use or disclose health information shall remain valid, which in no event shall be for more than twenty-four (24) months. You can revoke the authorization at any time.

Your Individual Privacy Rights

- **Right to Request Additional Restrictions.** You may request restrictions on our use and disclosure of your PHI for the treatment, payment, and Healthcare operations purposes explained in this Notice. While we will consider all requests for restrictions carefully, we are not required to agree to a requested restriction.
- **Right to Receive Confidential Communications.** You may ask to receive communications of your PHI from us by alternative means of communication or at alternative locations, if you believe that communication through normal business practices could endanger you. While we will consider reasonable requests carefully, we are not required to agree to all requests. Your request must specify how or where you wish to be contacted.
- **Right to Inspect and Copy Your PHI.** You may ask to inspect or to obtain a copy of your PHI that is included in certain records we maintain. Under limited circumstances, we may deny you access to a portion of your records. If you request copies, we may charge you copying and mailing costs consistent with applicable law. If your information is stored electronically and you request an electronic copy, we will provide it to you in a readable electronic form and format.
- **Right to Amend Your Records.** You have the right to ask us to amend your PHI that is contained in our records. If we determine that the record is inaccurate, and the law permits us to amend it, we will correct it. If your Physician or another Practitioner or person created the information that you want to change, you should ask that person to amend the information.
- **Right to Receive an Accounting of Disclosures.** Upon request, you may obtain an accounting of disclosures we have made of your PHI, except for disclosures made for treatment, payment, or Healthcare operations, disclosures made earlier than six (6) years before the date of your request, and certain other disclosures that are exempt by law. If you request an accounting more than once during

any twelve (12)-month period, we may charge you a reasonable fee for each accounting statement after the first one.

- **Right to Receive a Paper Copy of this Notice.** You may call our Customer Care Center to get a paper copy of this Notice.

If you wish to make any of the requests listed above under Your Individual Privacy Rights, you must tell us in writing.

For More Information or Complaints

If you want more information about your privacy rights, do not understand your privacy rights, are concerned that THNM has violated your privacy rights, or disagree with a decision that we made about access to your PHI, you may contact our Privacy Officer. If we discover a breach involving your unsecured PHI, we will inform you of the breach by letter or other method permitted by law. You may also file written Complaints with the Secretary of U.S. Department of Health and Human Services online at www.hhs.gov/ocr/privacy. Please contact our Privacy Officer to get the correct address for the Secretary. We will not take any action against you if you file a Complaint with the Secretary or us.

You may contact our Privacy Officer at:
True Health New Mexico
P.O. Box 36719
Albuquerque, NM 87176
(505) 633-8020

We may change the terms of this Notice at any time. If we change this Notice, we may make the new Notice terms effective for any PHI that we maintain, including any information we created or received before we issue the new Notice.