

# Notice of Privacy Policy

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

**Effective Date: April 14, 2003**  
**Revised November 4, 2013**

This Notice of Privacy Practices describes how we may use and disclose your protected health information to carry out treatment, payment or health care operations and for other purposes that are permitted or required by law. It also describes your rights to access and control your protected health information. "Protected health information" is information about you, including demographic information, that may identify you and that relates to your past, present or future physical or mental health or condition and related health care services.

We are required by federal and state law to provide you with this Notice about your rights and our legal duties and privacy practices with respect to your protected health information. We must follow the terms of this Notice while it is in effect. Some of the uses and disclosures described in this Notice may be limited in certain cases by applicable state laws that are more stringent than the federal standards.

## HOW WE MAY USE AND DISCLOSE YOUR PROTECTED HEALTH INFORMATION

We may use and disclose your protected health information for different purposes. We will not use your confidential information or disclose it to others without your authorization, except for the following purposes. The examples below are provided to illustrate the types of uses and disclosures we are permitted to make without your authorization. These examples are not meant to be exhaustive, but to describe the types of uses and disclosures that may be made by our office.

**Treatment:** We will use and disclose your protected health information to provide, coordinate, or manage your health care and any related services. This includes the coordination or management of your health care with a third party that has already obtained your permission to have access to your protected health information. For example, we would disclose your protected health information, as necessary, to a home health agency that provides care to you. We will also disclose protected health information to other physicians/therapists/counselors who may be treating you when we have the necessary permission from you to disclose your protected health information. For example, your protected health information may be provided to a physician/therapist/counselor to whom you have been referred to ensure that the physician/therapist/counselor has the necessary information to diagnose or treat you.

In addition, we may disclose your protected health information from time-to-time to another physician or health care provider or facility (e.g., a specialist or laboratory) who, at the request of your doctor, becomes involved in your care by providing assistance with your health care diagnosis or treatment to your doctor.

**Payment:** Your protected health information will be used, as needed, to obtain payment for your health care services. This may include certain activities that your health insurance plan may undertake before it approves or pays for the health care services we recommend for you such as: making a determination of eligibility or coverage for insurance benefits, reviewing services provided to you for medical necessity, and undertaking utilization review activities. For example, obtaining approval for a therapy session may require that your relevant protected health information be disclosed to the health plan to obtain approval for the session.

When you pay for the full cost of any sessions (without using your health insurance to pay part of the cost) you can ask me to not send information about that treatment to your health insurance company and I will not do so. However, if you want to buy life insurance or long term care insurance I will have to send the information, with your written permission, about those sessions.

**Healthcare Operations:** We may use or disclose, as-needed, your protected health information in order to support the business activities of your doctor's practice. These activities include, but are not limited to, quality assessment activities, employee review activities, training of students, licensing, marketing and fundraising activities, and conducting or arranging for other business activities.

For example, we may use a sign-in sheet at the registration desk where you will be asked to sign your name and indicate your physician. We may also call you by name in the waiting room when your doctor is ready to see you. We may use or disclose your protected health information, as necessary, to contact you to remind you of your appointment.

We will share your protected health information with third party "business associates" that perform various activities (e.g., billing, transcription services) for the practice. Whenever an arrangement between our office and a business associate involves the use or disclosure of your protected health information, we will have a written contract that contains terms that will protect the privacy of your protected health information.

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**Others Involved in Your Healthcare:** There will be times that your doctor will be required to gather information of prior therapists, family, acquaintances, complete paperwork, employers, etc. You will be required to sign an Authorization for Information Release for every person(s) to be contacted. Unless you object, by not signing the release form, we may disclose to a member of your family, a relative, a close friend or any other person you identify, your protected health information that directly relates to that person's involvement in your health care. If you are unable to agree or object to such a disclosure, we may disclose such information as necessary if we determine that it is in your best interest based on our professional judgment. We may use or disclose protected health information to notify or assist in notifying a family member, personal representative or any other person that is responsible for your care of your location, general condition or death. Finally, we may use or disclose your protected health information to an authorized public or private entity to assist in crisis intervention efforts and to coordinate uses and disclosures to family or other individuals involved in your health care.

**Emergencies:** We may use or disclose your protected health information in an emergency treatment situation. If this happens, your doctor shall try to obtain your consent as soon as reasonably practicable after the delivery of treatment. If your doctor is required by law to treat you and the doctor has attempted to obtain your consent but is unable to obtain your consent, he or she may still use or disclose your protected health information to treat you.

**Required By Law:** We may use or disclose your protected health information to the extent that the use or disclosure is required by law. The use or disclosure will be made in compliance with the law and will be limited to the relevant requirements of the law. You will be notified, as required by law, of any such uses or disclosures.

**Public Health:** We may disclose your protected health information for public health activities and purposes to a public health authority that is permitted by law to collect or receive the information. The disclosure will be made for the purpose of controlling disease, injury or disability. We may also disclose your protected health information, if directed by the public health authority, to a foreign government agency that is collaborating with the public health authority.

**Communicable Diseases:** We may disclose your protected health information, if authorized by law, to a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading the disease or condition.

**Health Oversight:** We may disclose protected health information to a health oversight agency for activities authorized by law, such as audits, investigations, and inspections. Oversight agencies seeking this information include government agencies that oversee the health care system, government benefit programs, other government regulatory programs and civil rights laws.

**Abuse or Neglect:** We may disclose your protected health information to a public health authority that is authorized by law to receive reports of child abuse or elder abuse or neglect and are obligated to take steps to inform others if a client is a danger to self or others. In addition, we may disclose your protected health information if we believe that you have been a victim of abuse, neglect or domestic violence to the governmental entity or agency authorized to receive such information. In this case, the disclosure will be made consistent with the requirements of applicable federal and state laws.

**Legal Proceedings:** We may disclose protected health information in the course of any judicial or administrative proceeding, in response to an order of a court or administrative tribunal (to the extent such disclosure is expressly authorized), in certain conditions in response to a subpoena, discovery request or other lawful process. You will be contacted if such a request for records is requested and you will be required to sign an Authorization for Information Release. You have the right to refuse to the doctor to comply with a subpoena. Your records are confidential and protected by the psychologist-client privilege. Your records contain information that was received by reason of the confidential nature of the relationship. Be it known a court may order you to comply and records would be released at that time.

**Breach:** Because of recent changes in the laws (the HITECH Act) I have to tell you if I find out that some of your PHI has gotten to someone who should not have it. Only you, I, your other providers or your insurance company should have it. When someone else has gotten your information it is called a breach of privacy. For example, your records might have been sent to a wrong address or maybe it was read by someone who should not have seen it at a hospital. If those or any other kind of breach of privacy happens I will tell you. Sometimes the information that gets out was encrypted – changed so no one can make sense of it but me. If it was encrypted it is still safer and protected so that would not be a breach and I do not have to tell you or anyone else that it got out. If the information was just a few things like your address but without your name, that would not be a breach. If the information was sent by accident to a different doctor or hospital than we wanted it to go to, they would know how to keep it private or destroy it and that would not be a breach.

If any of those happened I would have to determine if the information that did get out could harm you. A Risk Assessment would be done to establish if the information could be used to make purchases with your stolen name or embarrass you by knowing your PHI. Upon completion of the Risk Assessment, and it is determined that there is a really low chance that you could be harmed, I can decide there was not a real "breach" and no additional action needs to be taken.

If I decide there was a breach, I have to tell you and also part of the government, the HHS. I will tell you about the breach in sixty days or less after I discover it. Will be informed by letter to the address you gave me and it will include what kinds of information got out, what happened to it, and when this happened. I will tell you what you can do to protect yourself from any harm that might happen because of the breach. I will tell you about what I have done to investigate what happened, what I have done to lower any harm that might happen to you, and what I will do to see that breaches do not happen again.

**Law Enforcement:** We may also disclose protected health information, so long as applicable legal requirements are met, for law enforcement purposes. These law enforcement purposes include (1) legal processes and otherwise required by law, (2) limited information requests for identification and location purposes, (3) pertaining to victims of a crime, (4) suspicion that death has occurred as a result of criminal conduct, (5) in the event that a crime occurs on the premises of the practice, and (6) medical emergency (not on the Practice's premises) and it is likely that a crime has occurred.

**Workers' Compensation:** Your protected health information may be disclosed by us as authorized to comply with workers' compensation laws and other similar legally-established programs

## **USES AND DISCLOSURES WITH YOUR WRITTEN AUTHORIZATION**

We will not use or disclose your confidential information for any purpose other than the purposes described in this Notice, without your written authorization, unless otherwise permitted or required by law as described below. You may revoke this authorization, at any time, in writing, except to the extent that your doctor or the doctor's practice has taken an action in reliance on the use or disclosure indicated in the authorization.

## **YOUR INDIVIDUAL RIGHTS**

**Right to Inspect and Copy you Confidential Information.** You may ask to inspect or to obtain a copy of your confidential information that is included in certain records we maintain.

Under federal law, however, you may not inspect or copy the following records; psychotherapy notes; psychological test data and reports; information compiled in reasonable anticipation of, or use in, a civil, criminal, or administrative action or proceeding, and protected health information that is subject to law that prohibits access to protected health information.

**Right to Request Additional Restrictions.** You may request restrictions on our use and disclosure any part of your protected health information for the purposes of treatment, payment or healthcare operations. You may also request that any part of your protected health information not be disclosed to family members or friends who may be involved in your care or for notification purposes as described in this Notice of Privacy Practices. While we consider all 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 confidential information from us by alternative means of communication or at alternate locations. While we will consider reasonable requests carefully, we are not required to agree to all requests.

**Right to Amend your Records.** You have the right to ask us to amend your confidential information 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 doctor or another person created the information that you want to change, you should ask that person to amend the information.

**Right to Receive and Accounting of Disclosures.** Be it known that no information will be released from this office either by phone or in writing without your signed consent on an Authorization for Information Release form from our office. This right applies to disclosures for purposes other than treatment, payment or healthcare operations as described in this Notice of Privacy Practices. It excludes disclosures we may have made to you, for a facility directory, to family members or friends involved in your care, or for notification purposes. You have the right to receive specific information regarding these disclosures that occurred after April 14, 2003. The right to receive this information is subject to certain exceptions, restrictions and limitations.

**You have the right to obtain a paper copy of this notice from us,** upon request.

*If you wish to make any of the requests listed above under "Individual Rights," you must complete and mail us the appropriate form. To obtain the form please contact Sandy at 623-572-4128. After we receive your signed, completed form, we will respond to your request.*

## **FOR MORE INFORMATION OR COMPLAINTS**

You may complain to us or to the Secretary of Health and Human Services if you believe your privacy rights have been violated by us. You may file a complaint with us by notifying our privacy contact of your complaint. We will not retaliate against you for filing a complaint. You may contact our Privacy Contact, Sandy at (480)951-8817 for further information about the complaint process.

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 all of your confidential information that we maintain, including any information we created or received before we issued the new notice. If we change the Notice, you may obtain a copy on your next visit or call and request a copy be mailed to you.