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Notice of Psychologists' Policies and Practices to Protect the Privacy of Your Health Information

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

Privacy Policy in My Practice

There are federal and state requirements that outline how your protected health information (PHI) should be handled. As a psychologist and professional, I am personally dedicated to protecting your privacy as well. The following is a description of these requirements and how they are handled in my practice.

I. Uses and Disclosures for Treatment, Payment, and Health Care Operations

I may *use* or *disclose* your *protected health information (PHI)* for *treatment, payment, and health care operations* purposes with your *consent*. To help clarify these terms, here are some definitions:

- “*PHI*” refers to information in your health record that could identify you.
- “*Treatment, Payment, and Health Care Operations*”
 - Treatment* is when I provide, coordinate, or manage your health care and other services related to your healthcare. An example of treatment would be when I consult with another health care provider, such as your family physician or another psychologist.
 - Payment* is when I obtain reimbursement for your healthcare. Examples of payment are when I disclose your PHI to your health insurer to obtain reimbursement for your healthcare or determine eligibility or coverage.
 - Health Care Operations* are activities that relate to the performance and operation of my practice. Examples of health care operations are quality assessment and improvement activities, business-related matters such as audits and administrative services, and case management and care coordination.
- “*Use*” applies only to activities within my office/practice such as sharing, employing, applying, utilizing, examining, and analyzing information that identifies you.
- “*Disclosure*” applies to activities outside of my office/practice, such as releasing, transferring, or providing access to information about you to other parties.

II. Uses and Disclosures Requiring Authorization

I may use or disclose PHI for the purposes outside of treatment, payment, and health care operations only when your appropriate authorization is obtained. An “*Authorization*” is written permission above and beyond the general consent that permits only specific disclosures. In those instances when I am asked for information for purposes outside of treatment, payment, and health care operations, I will request an authorization before releasing your psychotherapy notes. “*Psychotherapy notes*” are notes I have made about our conversation during an individual, group, conjoint, or family therapy session or from a phone call, which I have kept separate from the rest of your record. These notes are given a greater degree of protection than PHI.

You may revoke all such authorizations (of PHI or psychotherapy notes) at any time, provided each revocation is in writing. You may not revoke an authorization to the extent that (1) I have relied on that authorization; or (2) if the authorization was obtained as a condition of obtaining insurance coverage, and the law provides the insurer the right to contest the claim under the policy.

III. Uses and Disclosures with Neither Consent nor Authorization

I may use or disclose PHI without your consent or authorization in the following circumstances:

- **Child Abuse:** If you, a dependent, or another family member give me information which leads me to suspect child abuse, neglect, or death due to maltreatment, I must report such information to the county Department of Social Services (DSS). If asked by the Director of Social Services or one of his/her agents to turn over information from your records relevant to a child protective investigation, I must do so.
- **Adult and Domestic Abuse:** If information you, a dependent, or another family member give me gives me reasonable to cause to believe that a disabled adult is in need of protective services, I must report this to the Department of Social Services.
- **Health Oversight:** The North Carolina Psychology Board has the power, when necessary, to subpoena relevant records should I be the focus of an inquiry.
- **Judicial and Administrative Proceedings:** If you are involved in a court proceeding and a request is made for information about the professional services that I have provided you and/or the records thereof, such information is privileged under state law, and I must not release this information without your written authorization or a court order. This privilege does not apply when you are being evaluated for a third party or where the evaluation is court ordered. You will be informed in advance if this is the case.
- **Serious Threat to Health or Safety:** I may disclose your confidential information to protect you or others from a serious threat of harm by you.

- **Workers' Compensation:** If you file a workers' compensation claim, I am required by law to provide your mental health information relevant to the claim to your employer and the North Carolina Industrial Commission.

IV. Patients' Rights

- *Right to Request Restrictions* – You have the right to request restrictions on certain uses and disclosures of PHI about you. However, I am not required to agree to a restriction you request.
- *Right to receive Confidential Communication by Alternative Means and at Alternative Locations* – You have the right to request and receive confidential communications of PHI by alternative means and at alternative locations. (For example, you may not want a family member to know that you are seeing me. Upon your request I will send bills to another address or use only certain phone numbers to contact you).
- *Right to Inspect and Copy* – You have the right to inspect or obtain a copy (or both) of PHI in my mental health and billing records (but not including psychotherapy notes) used to make decisions about you for as long as the PHI is maintained in the record. You must submit your request in writing. I may deny your access to PHI under certain circumstances, but in some cases you may have this decision reviewed. On your request, I will discuss with you the details of the request and denial process.
- *Right to Amend* – You have the right to request an amendment of PHI for as long as the PHI is maintained in the record. I may deny your request. On your request, I will discuss with you the details of the amendment process.
- *Right to an Accounting* – You generally have the right to receive an accounting of disclosures of PHI for which you have neither provided consent nor authorization (as described in Section III of this notice). On your request, I will discuss with you the details of the accounting process.
- *Right to a Paper Copy* - You have a right to obtain a paper copy of the notice from me upon request, even if you have agreed to receive the notice electronically.

V. Complaints

If you are concerned that I have violated your privacy rights or you disagree with a decision I made about access to your records, you may file a complaint with my practice by writing to me at my office address. You may also send a written complaint to the Secretary of the US Department of Health and Human Services.

VI. Effective Date, Restrictions and Changes to Privacy Policy

This notice was updated on Sept 1, 2006

I reserve the right to change the privacy policies and practices described in this notice. If I revise my policies and procedures, I will post a copy of my current Notice in my office in a prominent location. You may request, and I will provide, a copy of my most current Notice at any time.