

HIPAA NOTICE OF PRIVACY PRACTICES

The privacy and confidentiality of our visits is of critical importance to me. I am conscientious in my efforts to preserve and maintain your privacy at all times. Please feel free to ask me about any questions about this matter. In addition to the measures that follow to protect your privacy, I am also required by law to provide to you the following notice.

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.

This notice is in compliance both with California law and with the Federal Health Insurance Portability and Accountability Act (HIPAA) providing privacy protection and patient rights with regard to the use and disclosure of your Protected Health Information, as defined in HIPAA (PHI) used for the purpose of treatment, payment and health care operations. This notice is based on the California Association of Marriage and Family Therapists model for compliance with the new requirements. I am required by law to maintain the privacy and security of your PHI and to provide you with this Notice of Privacy Practices ("Notice"). I must abide by the terms of this Notice, and I must notify you if a breach of your unsecured PHI occurs. I can change the terms of this Notice, and such changes will apply to all information I have about you. The new Notice will be available upon request, in my office, and on my website.

- Except for the specific purposes set forth below, I will use and disclose your PHI only with your prior written authorization, which may be validly obtained via email or text ("Authorization").
- It is your right to revoke such Authorization at any time by giving me written notice of your revocation.

Uses (Inside Practice) and Disclosures (Outside Practice) Relating to Treatment, Payment, or Health Care Operations That Do Not Require Your Written Consent:

I can use and disclose your PHI without your Authorization for the following reasons:

1. For your treatment. I can use and disclose your PHI to treat you, which may include disclosing your PHI to another health care professional. For example, if you are being treated by a physician or a psychiatrist, I can disclose your PHI to him or her to help coordinate your care, although my preference is for you to give me an Authorization to do so.
2. To obtain payment for your treatment. I can use and disclose your PHI to bill and collect payment for the treatment and services provided by me to you. For example, I might send your PHI to your insurance company to get paid for the health care services that I have provided to you, although my preference is for you to give me an Authorization to do so.
3. For health care operations. I can use and disclose your PHI for purposes of conducting health care operations pertaining to my practice, including contacting you when necessary. For example, I may need to disclose your PHI to my attorney to obtain advice about complying with applicable laws.

Certain Uses and Disclosures Require Your Authorization.

1. Psychotherapy Notes. I do keep "psychotherapy notes" as that term is defined in 45 CFR § 164.501, and any use or disclosure of such notes requires your Authorization unless the use or disclosure is:
 - a. For my use in treating you.
 - b. For my use in training or supervising other mental health practitioners to help them improve their skills in group, joint, family, or individual counseling or therapy.

- c. For use by the Secretary of Health and Human Services to investigate my compliance with HIPAA.
 - d. Required by law, and the use or disclosure is limited to the requirements of such law.
 - e. Required by law for certain health oversight activities pertaining to the originator of the notes.
 - f. For my use in defending myself in legal proceedings instituted by you.
 - g. Required by a coroner who is performing duties authorized by law.
 - h. Required to help avert a serious threat to the health and safety of others.
2. Marketing Purposes. As a psychotherapist, I will not use or disclose your PHI for marketing purposes.
 3. Sale of PHI. As a psychotherapist, I will not sell your PHI in the regular course of my business.

Certain Uses and Disclosures Do Not Require Your Authorization.

Subject to certain limitations in the law, I can use and disclose PHI without Authorization for reasons:

1. When disclosure is required by state or federal law, and the use or disclosure complies with and is limited to the relevant requirements of such law.
2. For public health necessities, including reporting suspected child, elder, or dependent adult abuse, or preventing or reducing a serious threat to anyone's health or safety.
3. For health oversight activities, including audits and investigations.
4. For judicial and administrative proceedings, including responding to a court or administrative order, although my preference is to obtain an Authorization from you before doing so.
5. For law enforcement purposes, including reporting crimes occurring on my premises.
6. To coroners or medical examiners, when such individuals are performing duties authorized by law.
7. For research purposes, including studying and comparing the mental health of patients who received one form of therapy versus those who received another form of therapy for the same condition.
8. Specialized government functions, including, ensuring the proper execution of military missions; protecting the President of the United States; conducting intelligence or counter-intelligence operations; or, helping to ensure the safety of those working within or housed in correctional institutions.
9. For workers' compensation purposes. Although my preference is to obtain an Authorization from you, I may provide your PHI to comply with workers' compensation laws.
10. Appointment reminders and health-related benefits or services. I may contact you to remind you that you have an appointment with me. I may also use and disclose your PHI to tell you about treatment alternatives, or other health care services or benefits that I offer.

Certain Uses and Disclosures Require You to Have the Opportunity to Object:

1. Disclosures to family, friends, or others. I may provide your PHI to a family member, friend, or other person that you indicate is involved in your care or the payment for your health care, unless you object in whole or in part. The opportunity to consent may be obtained retroactively in emergency situations.

YOUR RIGHTS REGARDING YOUR PHI: You have the following rights with respect to your PHI:

1. The Right to Request Limits on Uses and Disclosures of Your PHI. You have the right to ask me not to use or disclose certain PHI for treatment, payment, or health care operations purposes. I am not required to agree to your request, and I may say "no" if I believe it would affect your health care, your safety or legal rights.
2. The Right to Request Restrictions for Out-of-Pocket Expenses Paid for In Full. You have the right to

request restrictions on disclosures of your PHI to health plans for payment or health care operations purposes if the PHI pertains solely to a health care item or a health care service that you have paid for out-of-pocket in full.

3. The Right to Choose How I Send PHI to You. You have the right to ask me to contact you in a specific way (home or office phone) or to send mail to a different address. I will agree to all reasonable requests.
4. The Right to See and Get Copies of Your PHI. Other than “psychotherapy notes,” you have the right to get an electronic or paper copy of your medical record and other information that I have about you. I will provide you with a copy of your record, or a summary of it, if you agree to receive a summary, within 30 days of receiving your written request, and I may charge a reasonable, cost based fee for doing so.
5. The Right to Get a List of the Disclosures I Have Made. You have the right to request a list of instances in which I have disclosed your PHI for purposes other than treatment, payment, or health care operations, or for which you provided me an Authorization. I will respond to your request for an accounting of disclosures within 60 days of receiving it. The list I will give you will include disclosures made in the last six years unless you request a shorter time. I will provide the list to you at no charge, but if you make more than one request in the same year, I will charge you a reasonable cost-based fee for each additional request.
6. The Right to Correct or Update Your PHI. If you believe that there is a mistake in your PHI, or that a piece of important information is missing from your PHI, you have the right to request that I correct the existing information or add the missing information. I may say “no” to your request, but I will tell you why in writing within 60 days of receiving your request.
7. The Right to Get a Paper or Electronic Copy of this Notice. You have the right get a paper copy of this Notice, and you have the right to get a copy of this notice by e-mail. And, even if you have agreed to receive this Notice via e-mail, you also have the right to request a paper copy of it.

HOW TO COMPLAIN ABOUT MY PRIVACY PRACTICES

Notice to Clients: If you think I may have violated your privacy rights, you may file a complaint with me, as the Privacy Officer for my practice. My contact information is: Laura@MyersFamilyTherapy.com, 1-586-335-2872.

- I will not retaliate against you if you file a complaint about my privacy practices. Problems can arise in our relationship, just as in any other relationship. If you are not satisfied with any area of our work, I recommend that you please raise your concerns with me immediately. I will make every effort to hear any concerns you have and seek solutions to them.

If you feel that we are unable to reach a resolution, you may contact:

- U.S. Department of Health and Human Services Office for Civil Rights by: Sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201; Calling 1-877-696-6775; or, Visiting www.hhs.gov/ocr/privacy/hipaa/complaints.
- The Board of Behavioral Sciences. They receive and respond to complaints regarding services provided within the scope of practice of (marriage and family therapists, licensed educational psychologists, clinical social workers, or professional clinical counselors). You may contact the board online at www.bbs.ca.gov, or by calling (916) 574-7830.

EFFECTIVE DATE, RESTRICTIONS, AND CHANGES TO PRIVACY POLICY

I reserve the right to change the terms of this notice and to make the new notice provisions effective for all PHI that I maintain. I will provide you with a revised notice in the next session following revision.

Effective Date: This notice was last updated and went into effect on May 11, 2021.