

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA)

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. If this document is updated, you will be given the opportunity to review any updated information. A copy of this statement is always available upon request.

All information revealed by you in a counseling/therapy session and most information placed in your counseling/therapy file (all medical records or other individually identifiable health information held or disclosed in any form [electronic, paper, or oral]) is considered “protected health information” by HIPAA. As such, your protected health information *cannot be distributed to anyone else without your express informed and voluntary written consent or authorization*. The exceptions to this are defined immediately below. Additional information regarding your rights as a client can be found in your therapist’s/counselor’s Professional Disclosure Statement and Consent for Treatment.

Use or disclosure of the following protected health information does not require your consent or authorization:

1. Uses and disclosures required by law—like files subpoenaed by a judge
2. Uses and disclosures about victims of abuse, neglect, or domestic violence—like the duties to warn explained in your therapist’s/counselor’s Disclosure Statement.
3. Uses and disclosures for health and oversight activities—like correcting records or correcting records already disclosed.
4. Uses and disclosures for law enforcement purposes—like when you claim mental health issues as a defense in a civil or criminal case
5. Uses and disclosures for judicial and administrative proceedings—like a case where you are claiming malpractice or breach of ethics
6. Uses and disclosures for research purposes—like using client information in research, always maintaining confidentiality
7. Uses and disclosures to avert a serious threat to health or safety—like calling Probate Court for a commitment hearing
8. Uses and disclosures for Worker’s Compensation—like the basic information obtained in therapy/counseling as a result of your Worker’s Compensation claim

Your Rights as a Counseling/Therapy Client under HIPAA

*As a client, you have the right to see your counseling/therapy file. Psychotherapy notes are afforded special privacy protection under the HIPAA regulations and are **excluded** from this right.

*As a client, you have the right to receive a copy of your counseling/therapy file. Psychotherapy notes are afforded special privacy protection under the HIPAA regulations and are excluded from this right. You will be required to pay copying fees @ \$.25/page.

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* As a client, you have the right to request amendments to your counseling/therapy file.

*As a client, you have the right to receive a history of all disclosures of protected health information. You will be required to pay copying fees @ \$.25/page.

* As a client, you have the right to restrict the use and disclosure of you protected health information for the purposes of treatment, payment, and operations. If you choose to release any protected health information, you will be required to sign a Release of Information form detailing exactly to whom and what information you wish to disclose.

*As a client, you have the right to register a complaint with the Secretary of Health and Human Services if you feel your rights, herein explained, have been violated.

Prior to your counseling /therapy, you will receive (1.) an exact duplicate of these two pages and (2.) your counselor's/therapist's Professional Disclosure Statement and Consent for Treatment—both for your personal records. It will be necessary for you to sign a certificate indicating that you have received, read, and understand both documents. This certificate will be placed in your counseling/therapy file. Please do not sign the certificate if you do not understand any part of the HIPAA Client's Rights or the Professional Disclosure Statement and Consent for Treatment. Your counselor/therapist will be happy to explain these documents further.