

Health Insurance Portability and Accountability Act of 1996 (HIPAA) Client Rights & Notice of Privacy Practices

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 document may be updated without notice, so please review it each time you visit us. A copy of this statement is posted on my website (VineyardCounseling.com/Resources) and available upon request.

All information revealed by you in a counseling or 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" (PHI) by HIPAA. As such, your PHI *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 – *such as files court-ordered by a Judge*
2. Uses and disclosures about victims of abuse, neglect, or domestic violence – *such as the Duties to Warn explained in your counselor's Disclosure Statement*
3. Uses and disclosures for health and oversight activities – *such as correcting records or correcting records already disclosed*
4. Uses and disclosures for judicial and administrative proceedings – *such as a case where you are claiming malpractice or breach of ethics*
5. Uses and disclosures for law enforcement purposes – *for example, if you intend to harm someone else (see Duties to Warn in your counselor's Disclosure Statement)*
7. Uses and disclosures for research purposes – *such as using client information in research; always maintaining client confidentiality*
8. Uses and disclosures to avert a serious threat to health or safety – *such as calling Probate Court for a commitment hearing*
9. Uses and disclosures for Workers' Compensation – *such as the basic information obtained in 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 file. This file copy will consist of only documents generated by us. You will be charged copying

fees of \$10.00 plus \$.25/page. *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 request amendments to your counseling file.
- As a client, you have the right to receive a history of all disclosures of protected health information.
- As a client, you have the right to restrict the use and disclosure of your 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 disclosed.
- To implement the 2013 HITECH Act, Vineyard Counseling, LLC and Melissa Mitchell-Blicht are required to restrict the disclosure of PHI about you, the patient, to a health plan, upon request, if the disclosure is for the purpose of carrying out payment or healthcare operations and is not otherwise required by law. The PHI must pertain solely to a healthcare item or service for which you have paid the covered entity in full.
- As a client, you have the right to register a complaint with the Secretary of the Department of Health and Human Services (200 Independence Avenue S.W. Washington, D.C. 20201) if you feel your rights, herein explained, have been violated.

If you have any questions about this notice or any complaints about my privacy practices, please ask Melissa Mitchell-Blicht.

Notification of Breaches

In the case of a breach, Melissa Mitchell-Blicht is required to notify each affected individual whose unsecured PHI has been compromised.

Prior to your counseling or therapy, you will receive 1.) an exact duplicate of these two pages and 2.) your counselor'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 & Notice of Privacy Practices or the Professional Disclosure Statement and Consent for Treatment. Your counselor will be happy to explain these documents further.

This notice went into effect on Jan. 30, 2013.