

NOTICE OF PRIVACY PRACTICES AND CLIENT RIGHTS Updated 9/13

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 then sign and return the Receipt and Acknowledgement of Notice page.

Your health record contains personal information about you and your health. This information about you that may identify you and that relates to your past, present or future physical or mental health or condition and related health care services is referred to as **Protected Health Information (PHI)**. This Notice of Privacy Practices describes how we may use and disclose your PHI in accordance with applicable law, including the Health Insurance Portability and Accountability Act (“HIPAA”), regulations promulgated under HIPAA including the HIPAA Privacy and Security Rules, and the *NASW Code of Ethics*. It also describes your rights regarding how you may gain access to and control your PHI.

HOW WE MAY USE AND DISCLOSE HEALTH INFORMATION ABOUT YOU

For Treatment. Your PHI may be used and disclosed by those who are involved in your care for the purpose of providing, coordinating, or managing your health care treatment and related services. This includes consultation with clinical supervisors or other treatment team members. We may disclose PHI to any other consultant only with your authorization.

For Payment. We may use and disclose PHI so that we can receive payment for the treatment services provided to you. This will only be done with your authorization. Examples of payment-related activities are: making a determination of eligibility or coverage for insurance benefits, processing claims with your insurance company, reviewing services provided to you to determine medical necessity, or undertaking utilization review activities. If it becomes necessary to use collection processes due to lack of payment for services, we will only disclose the minimum amount of PHI necessary for purposes of collection.

For Healthcare Operations. We may use or disclose, as needed, your PHI in order to support our business activities including, but not limited to, quality assessment activities, employee review activities, licensing, and conducting or arranging for other business activities. For example, we may share your PHI with third parties that perform various business activities (e.g., billing or typing services) provided we have a written contract with the business that requires it to safeguard the privacy of your PHI. For training or teaching purposes PHI will be disclosed only with your authorization.

Required by Law. Under the law, we must disclose your PHI to you upon your request. In addition, we must make disclosures to the Secretary of the Department of Health and Human Services for the purpose of investigating or determining our compliance with the requirements of the Privacy Rule.

Without Authorization. Following is a list of the categories of uses and disclosures permitted by HIPAA without an authorization. Applicable law and ethical standards permit us to disclose information about you without your authorization only in a limited number of situations.

As a social worker licensed in this state and as a member of the National Association of Social Workers, it is my practice to adhere to more stringent privacy requirements for disclosures without an authorization. The following language addresses these categories to the extent consistent with the *NASW Code of Ethics* and HIPAA.

- **Child Abuse or Neglect:** We may disclose your PHI to a state or local agency that is authorized by law to receive reports of child abuse or neglect.
- **Judicial and Administrative Proceedings:** We may disclose your PHI pursuant to a subpoena (with your written consent), court order, administrative order or similar process.
- **Deceased Clients:** We may disclose your PHI regarding deceased clients as mandated by state law, or to a family member or friend that was involved in your care or payment for care prior to death, based on your prior consent. A release of information regarding deceased clients may be limited to an executor or administrator of a deceased person's estate or the person identified as next-of-kin. PHI of persons that have been deceased for more than fifty (50) years is not protected under HIPAA.
- **Medical Emergencies:** We may use or disclose your PHI in a medical emergency situation to medical personnel only in order to prevent serious harm. We will try to provide you a copy of this notice as soon as reasonably practicable after the resolution of the emergency.
- **Family Involvement in Care:** We may disclose information to close family members or friends directly involved in your treatment based on your consent or as necessary to prevent serious harm.
- **Health Oversight:** If required, we may disclose PHI to a health oversight agency for activities authorized by law, such as audits, investigations, and inspections. Oversight agencies seeking this information include government agencies and organizations that provide financial assistance to the program (such as third-party-payors based on your consent) and peer review organizations performing utilization and quality control.

- **Law Enforcement:** We may disclose PHI to a law enforcement official as required by law, in compliance with a subpoena (with your written consent), court order, administrative order or similar document, for the purpose of identifying a suspect, material witness or missing person, in connection with the victim of a crime, in connection with a deceased person, in connection with the reporting of a crime in an emergency, or in connection with a crime on the premises.
- **Specialized Government Functions:** We may review requests from U.S. military command authorities if you have served as a member of the armed forces, authorized officials for national security and intelligence reasons and to the Department of State for medical suitability determinations, and disclose your PHI based on your written consent, mandatory disclosure laws and the need to prevent serious harm.
- **Public Health:** If required, we may use or disclose your PHI for mandatory public health activities to a public health authority authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, or if directed by a public health authority, to a government agency that is collaborating with that public health authority.
- **Public Safety:** We may disclose your PHI if necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public. If information is disclosed to prevent or lessen a serious threat it will be disclosed to a person or person reasonably able to prevent or lessen the threat, including the target of the threat.
- **Research:** PHI may only be disclosed after a special approval process or with your authorization.
- **Fundraising:** We may send you fundraising communications at one time or another. You have the right to opt out of such fundraising communications with each solicitation you receive. (I, Catherine Hunter & Associates, Ltd will not be doing this at all.)
- **Verbal Permission:** We may also use or disclose your information to family members that are directly involved in your treatment with your verbal permission.
- **With Authorization:** Uses and disclosures not specifically permitted by applicable law will be made only with your written authorization, which may be revoked at any time, except to the extent that we have already made a use or disclosure based upon your authorization. The following uses and disclosures will be made only with your written authorization: (I) most uses and disclosures of psychotherapy notes which are separated from the rest of your medical record; (II) most uses and disclosures of PHI for marketing purposes, including subsidized treatment communications; (III) disclosures that constitute a sale of PHI; and (IV) other uses and disclosures not described in this Notice of Privacy Practices.

YOUR RIGHTS REGARDING YOUR PHI

You have the following rights regarding PHI we maintain about you. To exercise any of these rights, please submit your request in writing to Catherine J. Hunter & Associates, Ltd.

- **Right of Access to Inspect and Copy:** You have the right, which may be restricted only in exceptional circumstances, to inspect and copy PHI that is maintained in a “designated record set.” A designated record set contains mental health/medical and billing records and any other records that are used to make decisions about your care. Your right to inspect and copy PHI will be restricted only in those situations where there is compelling evidence that access would cause serious harm to you or if the information is contained in separately maintained psychotherapy notes. We may charge a reasonable, cost-based fee for copies. If your records are maintained electronically, you may also request an electronic copy of your PHI. You may also request that a copy of your PHI be provided to another person.
- **Right to Amend:** If you feel that the PHI we have about you is incorrect or incomplete, you may ask us to amend the information although we are not required to agree to the amendment. If we deny your request for amendment, you have the right to file a statement of disagreement with us. We may prepare a rebuttal to your statement and will provide you with a copy. Please contact Catherine Hunter, LCSW, if you have any questions.
- **Right to an Accounting of Disclosures:** You have the right to request an accounting of certain of the disclosures that we make of your PHI. We may charge you a reasonable fee if you request more than one accounting in any 12-month period.
- **Right to Request Restrictions:** You have the right to request a restriction or limitation on the use or disclosure of your PHI for treatment, payment, or health care operations. We are not required to agree to your request unless the request is to restrict disclosure of PHI to a health plan for purposes of carrying out payment or health care operations, and the PHI pertains to a health care item or service that you paid for out of pocket. In that case, we are required to honor your request for a restriction.
- **Right to Request Confidential Communication:** You have the right to request that we communicate with you about health matters in a certain way or at a certain location. We will accommodate reasonable requests. We may require information regarding how payment will be handled or specification of an alternative address or other method of contact as a condition for accommodating your request. We will not ask you for an explanation of why you are making the request.

- **Breach Notification:** If there is a breach of unsecured PHI concerning you, we may be required to notify you of this breach, including what happened and what you can do to protect yourself.
- **Right to a Copy of this Notice:** You have the right to a copy of this notice.

COMPLAINTS

If you believe we have violated your privacy rights, you have the right to file a complaint in writing with Catherine J. Hunter & Associates, Ltd (847) 550-0395 x1, or with the Secretary of Health and Human Services at 200 Independence Avenue, S.W., Washington, D.C. 20201 or by calling (202) 619-0257.

We will not retaliate against you for filing a complaint.

The effective date of this Notice is September, 2013

Approved by the National Association of Social Worker

Notice of Privacy Practices Receipt and Acknowledgment of Notice

I hereby acknowledge that I have received and have been given an opportunity to read a copy of Catherine J. Hunter & Associates, Ltd Notice of Privacy Practices. I understand that if I have any questions regarding the Notice or my privacy rights, I can contact Catherine Hunter at (847) 550-0395 x1.

Signature of Client

Date

Signature of Parent, Guardian or Personal Representative

Date

If you are signing as a personal representative of an individual, please describe your legal authority to act for this individual (power of attorney, healthcare surrogate, etc.).

_____ **Client Refuses to Acknowledge Receipt:**

Signature of Staff Member

Date

Authorization for Any Communications by Phone

I, _____ authorize Catherine J. Hunter & Associates,
Ltd., _____ (staff member), and Catherine J. Hunter
LCSW, to contact me in the following ways:

_____ My Cell Phone at _____

_____ My Home Phone at _____

_____ My Work Phone at _____

Cancellation Policies

Your session time is reserved for you. Should you find yourself unable to keep an appointment at the time scheduled, it is required that you notify your therapist 24 hours in advance of the appointment or expect to be charged the full fee for the session. We can not bill your insurance for missed appointments. On weekends, cancellations can be left on your therapist's voicemail. Emergencies are always considered, but canceling a session can penalize other clients if they had requested a time that is not utilized by you the client. If you consistently change or cancel your scheduled time, your time will be given to another client.

Payment & Insurance

Only if we as a practice are contracted as participating insurance providers with your insurance company are you allowed to only pay a copayment for your therapy session. Otherwise full payment of service in order of cash or check is expected at the time of service. You are responsible for the entire bill whether or not you notified your insurance that you were coming for therapy. It is the client's responsibility to understand your mental health benefit insurance coverage as it relates to authorization, deductible, copayments, maximum benefits, etc.. We will try to assist you, however, if this becomes an unreasonable amount of time (over 11 minutes on the phone with your company) you will be charged for the service. Our clinicians would rather treat you and it is your responsibility to go after benefits with your company. We will submit insurance claims if we are a participating insurance provider, otherwise you are responsible for submitting your insurance claim. If insurance remission is delayed unreasonably, i.e., more than 6 weeks, you the client have the responsibility of collecting your benefit. We cannot afford to spend clinical time on the phone on hold with your insurance company. Each client will receive a receipt documenting your payment and service for the session and also your next appointment.

I have been given this notice and my therapist & I have discussed the privacy notice on
(__/__/__) date

_____ (client)

_____ (therapist)