



## HIPAA – Health Insurance Portability and Accountability Act 1996

This notice describes how medical information about you may be used and disclosed and how you can gain access to this information. Please read it carefully. This document may also be updated without notice, so please review it each time you visit. A copy of the statement is always available upon request.

### **Protected Health Information**

All information revealed by you in a counseling/therapy session and most information placed in your counseling/therapy file is considered “protected health information” by HIPAA. Please note that this includes all medical records or other individually identifiable health information held or disclosed in any form (i.e., electronic, written, verbal).

Because of this, your protected health information cannot be distributed to anyone else without your express informed and voluntary written consent or authorization. Exceptions to this are defined as follows:

- Uses and disclosures required by law (e.g., court-ordered by a judge)
- Uses and disclosures about victims of abuse, neglect, or domestic violence (e.g., Duty to Warn explained in the Professional Disclosure Statement and Consent for Treatment)
- Uses and disclosures for health and oversight activities (e.g., correcting records or correcting records already disclosed)
- Uses and disclosures for judicial and administrative proceedings (e.g., a case where you are claiming malpractice or breach of ethics)
- Uses and disclosures for law enforcement purposes (e.g., if you intend to harm someone else)
- Uses and disclosures for research purposes (e.g., using client information in research, always maintaining client confidentiality)
- Uses and disclosures to avert a serious threat to health or safety (e.g., calling Probate Court for a commitment hearing)
- Uses and disclosures for Workers’ Compensation (e.g., basic information obtained in therapy/ counseling as a result of your Worker’s Compensation claim)

### **Your Rights as a Counseling/Therapy Client Under HIPAA**

You have many rights as a counseling/therapy client under HIPAA. Such rights include, but are not limited to, the following:

- The right to see your counseling/therapy file. Please note that psychotherapy notes are afforded special privacy protection under the HIPAA regulations and are excluded from this right.
- The right to receive a copy of your counseling/therapy file. Please note that this file copy will consist of only documents generated by Johannah Hornak and that you will be charged copying fees @ \$.20/page. Again, psychotherapy notes are afforded special privacy protection under the HIPAA regulations and are excluded from this right.
- The right to request amendments to your counseling/therapy file.
- The right to receive a history of all disclosures of protected health information. You will be charged copying fees @ \$.20/page.
- 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.
- 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.