



NEUROPSYCH ASSESSMENTS OF GREATER BOSTON

Confidentiality Agreement

Massachusetts law protects the relationship between a client and a licensed psychologist and communications can only be disclosed upon your express written consent or that of your legal guardian. However, **Massachusetts law mandates that confidential information be disclosed under the following circumstances:**

In cases where it is necessary to protect the safety of yourself or others we are obligated to make every effort to protect you or others even if it means disclosing otherwise confidential information to do so. For example, if you should make actual threats of physical violence to kill or inflict serious bodily injury upon yourself or another identifiable person(s), we may be obligated to warn others of the threat of harm, including the identified victim, or the police or other law enforcement agencies. If you should threaten to physically harm yourself or others, we may be obligated to notify family members and/or pursue involuntary hospitalization (if you refuse to go voluntarily upon our recommendation) via Massachusetts General Law Chapter 123, Section 12, to prevent you from harming yourself or others. However, you should understand that we would only disclose information that is necessary for the protection of yourself or others.

In cases where it is necessary to protect the rights and safety of the elderly (someone who is 60 years old or more), we may be required to notify or to disclose information to state agencies which have responsibility for investigating cases of suspected abuse or neglect of the elderly or to disclose information in the course of legal proceedings. For example, should we learn that an elderly person has suffered from serious physical and/or emotional injury, been financially exploited and/or unable or resistant to care for his/her own physical and/or emotional well-being, we are obligated to report such findings to the appropriate state agency immediately. Further, should we learn that an elderly person has died as a result of abuse, we are obligated to report such findings to the appropriate state agency immediately.

In cases where it is necessary to protect the rights and safety of a disabled person (defined as someone between the ages of 18 to 59 who is considered mentally retarded as defined in MGL Ch. 123, Section 1, or who is mentally/physically disabled as a result of the mental/physical impairment making them completely or partially reliant on others to meet his/her daily living needs), we may be required to notify or to disclose information to state agencies which have responsibility for investigating cases of suspected abuse or neglect of disabled people or to disclose information in the course of legal proceedings. For example, should we learn that a disabled person has suffered from a serious physical/emotional injury as a result of being abused and/or been forced to engage in sexual activity without his/her consent, we are obligated to report such

findings to the appropriate state agency immediately. Should we have reason to suspect that a disabled person has died due to any act of abuse as outlined above, we are obligated to report such findings to the appropriate state agency, the district attorney of the county in which the death occurred, and to the medical examiner immediately.

In cases where it is necessary to protect the rights and safety of children (anybody under the age of 18), we may be required to notify or to disclose information to state agencies which have responsibility for investigating cases of suspected abuse or neglect of children or to disclose information in the course of legal proceedings. Should we learn that a child is suffering from physical and/or emotional injury as a result of being abused which causes harm and/or a significant risk of harm to the child's welfare, we are obligated to notify appropriate state agencies immediately. For example, if we learn that a child is being physically abused, sexually abused, emotionally abused, neglected in some way, malnourished or said to be physically dependent on an addictive substance at birth, we are obligated to report such information to appropriate state agencies immediately. Should we suspect that a child has died due to any of the conditions listed above, we are obligated to report such information to appropriate state agencies, the district attorney of the county where the death took place and to the medical examiner immediately.

In child custody and adoption cases, including those brought by a state agency, we may be required to disclose the content of our conversations if a judge finds it in the best interest of the child to do so.

In cases where you bring a malpractice action against us or in cases where disclosure is relevant to a claim or the defense of a claim in any malpractice or criminal proceeding or any license revocation proceeding against us.

In cases of a court ordered evaluation after you have been informed that such conversations are not privileged.

In cases where you introduce your mental or emotional condition as part of your claim or defense and a judge finds it necessary in the interests of fairness that your communications be disclosed.

In cases where after your death the legal representative or a beneficiary of your estate introduces your mental or emotional condition as part of a claim or the defense of any claim and a judge finds it necessary in the interests of fairness that your communications be disclosed.

In cases where the disclosure of diagnostic or treatment information to an insurance company, health maintenance organization or similar organization is necessary for the purpose of providing benefits to you or collecting money owed to me for services we rendered to you. In such situations, only pertinent data will be released including dates of service, nature of service and amount of money owed to me. This information will be

kept confidential by the insurance company and cannot be re-released without your written consent.

In addition, you should know that confidential information might be shared during intra-agency peer supervision or consultation to ensure the highest quality of clinical care.

Please understand that we consider the data contained in our conversations and in the written psychological assessments to be confidential. To the extent that the law makes exceptions to the rules of confidentiality, it is only where there is a risk or greater need to be served. In all other cases, every effort will be made to protect the confidentiality of communications and to preserve the integrity of the clinical relationship.

Signature: _____

Please print name: _____

Relationship to patient: _____

Signature of Witness: _____

Date: _____