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LIMITS TO CONFIDENTIALITY

There are a number of circumstances that the law requires mental health professionals to provide confidential (i.e., privileged) information to third parties. Confidential or privileged information includes information revealed by a client during a counseling session.

These circumstances include, but are not limited to, the following instances:

- When an examination or records have been ordered by the court;
- Where the mental condition of the client is offered as an element of a claim or defense;
- Where the custody of minors is in dispute and the dispute involves the mental condition of the parents beyond the mere allegation of fitness as a parent;
- Where the client, as a plaintiff or defendant in a civil suit, calls the mental health professional as a witness for the client or claims mental or psychological damages;
- Where the mental health professional evaluates the client in connection with proceedings involving the need for hospitalization (e.g., the Baker Act);
- Where there is evidence of child abuse or neglect or evidence of abuse or neglect of aged or handicapped persons. This information must be reported to the appropriate state authorities. This office reports information about animal abuse or neglect but it is not mandated to do so;
- Where the information is requested in connection with an insurance claim;
- Where the information sought is relevant to any litigation in a Federal Court. There is no privilege in many Federal Courts;
- Where the mental health professional believes that the client may be a danger to self or others. There is a duty to protect the client and to warn other parties (CF. Tarasoff vs. Board of Regents);
- Where the information is needed by a criminal defendant to provide an adequate defense to charges against him/her (such a case may arise in group therapy).
- Where authorized federal officials are conducting national security and intelligence activities or providing protective services to the President or other important officials. By law this office cannot reveal that such information was disclosed to the government.

I have read and understand the above and have had all my questions about this information answered:

Client Signature

Date

Copy given to client

Copy refused by client

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