

# Kimberly Bolen McGrew, MA, LPA, LCAS, *Clinical Psychologist* Kimberly Bolen, PLLC

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## Notice of Clinician's Policies and Practices to Protect the Privacy of Your Health Information

THIS NOTICE DESCRIBES HOW PSYCHOLOGICAL AND MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

### I. Uses and Disclosures for Treatment, Payment, and Health Care Operations

Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC may use or disclose your Protected Health Information (PHI) for treatment, payment, and health care operations purposes with your consent. To help clarify these terms, here are some definitions:

- “PHI” refers to information in your health record that could identify you.
- “Treatment, Payment and Health Care Operations”
  - *Treatment* is when Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC provides, coordinates or manages your health care and other services related to your health care. An example of treatment would be when Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC consults with another health care provider, such as your family physician or another psychologist.
  - *Payment* is when Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC obtains reimbursement for your healthcare. Examples of payment are when Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC discloses your PHI to your health insurer to obtain reimbursement for care or to determine eligibility or coverage.
  - *Health Care Operations* are activities that relate to the performance and operation of Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC. Examples of health care operations are quality assessment and improvement activities, business-related matters such as audits and administrative services, and case management and care coordination.
- “Use” applies only to activities within Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC, such as sharing, employing, applying, utilizing, examining and analyzing information that identifies you.
- “Disclosure” applies to activities outside Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC, such as releasing, transferring, or providing access to information about you to other parties.

### II. Uses and Disclosures Requiring Authorization

Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC may use or disclose PHI for purposes of outside treatment, payment and health care operations when your appropriate authorization is obtained. An “authorization” is written permission above and beyond the general consent that permits only specific disclosures. In those instances when Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC is asked for information for purposes outside of treatment, payment, and health care operations, Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC will obtain an authorization from you before releasing this information. Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC will also need to obtain an authorization before releasing your psychotherapy notes. “Psychotherapy notes” are notes your therapist has made about your conversations during a private, group, joint or family counseling session. By law, these notes are given a greater degree of protection than PHI.

You may revoke all such authorizations (of PHI or psychotherapy notes) at any time, provided each revocation is in writing. You may not revoke an authorization to the extent (1) that Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC has relied on that authorization (2) if the authorization was obtained as a condition of obtaining insurance coverage, and the law provides the insurer the right to contest the claim under the policy.

### **III. Use and Disclosure with Neither Consent nor Authorization**

Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC may use or disclose PHI without your consent or authorization in the following circumstances:

- **Child Abuse:** If you give Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC information which leads your therapist to suspect child abuse, neglect, or death due to maltreatment, Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC must report such information to the county Department of Social Services. If asked by the Director of Social Services to turn over information from your records relevant to a child protective services investigation, Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC must do so.
- **Adult and Domestic Abuse:** If information you provide gives your therapist reasonable cause to believe that a disabled adult is in need of protective services, Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC must report this to the Director of Social Services.
- **Health Oversight:** Your therapist's NC professional review board has the power, when necessary, to subpoena records should she be the focus of an inquiry.
- **Judicial or Administrative Proceedings:** If you are involved in a court proceeding, and a request is made for information about professional services Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC has provided to you and/or the records thereof, such information is privileged under state law, and may not be released without your written authorization or a court order. This privilege does not apply when you're being evaluated for a third party or where the evaluation is court ordered. You will be informed in advance if this is the case.
- **Serious Threat to Health or Safety:** Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC may disclose your confidential information to protect you or others from a serious threat of harm by you.
- **Worker's Compensation:** If you file a worker's compensation claim, Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC is required by law to provide your mental health information relevant to the claim to your employer and the NC Industrial Commission.

### **IV. Patient Rights**

- **Right to Request Restrictions:** You have the right to request restrictions on certain uses and disclosures of PHI about you. However, Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC is not required to agree to a restriction you request.
- **Right to Receive Confidential Communication by Alternative Means and at Alternative Locations:** You have the right to request and receive confidential communications of PHI by alternative means and at alternative locations. (For example, you may not want a family member to know that you are being seen at Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC. Upon your request, Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC will send your bills to another address).
- **Right to Inspect and Copy:** You have the right to inspect or obtain a copy (or both) of PHI in Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC mental and billing records used to make decisions about you for as long as the PHI is maintained in the record. Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC may deny access to PHI under certain circumstances, but in some cases, you may have this decision reviewed. On your request, Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC will discuss with you the details of the request and denial process.

- **Right to Amend:** You have the right to request an amendment of PHI for as long as the PHI is maintained in the record. Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC may deny your request. On your request, Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC will discuss with you the details of the amendment process.

#### **Patient Rights Continued:**

- **Right to an Accounting:** You generally have the right to receive an accounting of disclosures of PHI for which you neither provided consent nor authorization (as described in Section III of this Notice). On your request, Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC will discuss with you the details of the accounting process.
- **Right to a Paper Copy:** You have the right to obtain a paper copy of the notice form from Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC upon request, even if you have agreed to receive the notice electronically.

#### **V. Therapist Duties**

- Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC is required by law to maintain privacy of PHI and to provide you with a notice of our legal duties and practices with respect to PHI.
- Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC reserves the right to change the privacy policies and practices described in this notice. Unless Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC notifies you of such changes, the clinic is required to abide by the terms currently in effect.
- If Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC revises its policies and procedures, notice will be posted in the clinician's office and/or website.

#### **VI. Complaints**

If you are concerned that Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC has violated your privacy rights, or if you disagree with a decision Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC has made about access to your records, you may contact Kimberly Bolen McGrew, MA, LPA, LCAS at 910-512-2890.

You may also send a written complaint to the Secretary of the U.S. Department of Health and Human Services. The person listed above can provide you with the appropriate address upon request.

#### **VII. Effective Date, Restrictions and Changes to Privacy Policy**

This notice was updated January 12, 2022.

Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC reserves the right to change the terms of this notice and to make the new notice provision effective for all PHI that Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC maintains. Kimberly Bolen McGrew, MA, LPA, LCAS/Kimberly Bolen, PLLC will post notice of any revision to this notice in the clinician's office and/or website and will provide you with a copy upon request.