

HIPAA NOTICE FORM

Notice of Psychologist'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

SPBH may use or disclose your protected health information (PHI) for treatment, payment, and health care operation purposes with your written authorization. To help clarify these terms, here are some definitions:

- "PHI" refers to information in your health record that could identify you.
- Treatment, Payments, and Health care Operations
 - *Treatment* is when we provide, coordinate or manage your health care and other services related to your health care. An example of treatment would be when we consult with another health care provider, such as your primary care or another psychologist.
 - *Payment* is when we obtain reimbursement for your healthcare. Examples of payment are when we disclose your PHI to your health insurer to obtain reimbursement for your health care or to determine eligibility or coverage.
 - *Health Care Operations* are activities that relate to the performance and operation of our practice. 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 my [office, clinic, practice, group, etc.] such as sharing, employing, applying, utilizing, examining, and analyzing information that identifies you.
- "Disclosure" applies only to activities within our [office, clinic, practice, group, etc.] such as releasing, transferring, and providing access to information about you to other parties.
- "Authorization" is your written permission to disclose confidential mental health information. All authorizations to disclose must be on a specific legally required form.

II. Other uses and Disclosures Requiring Authorization

SPBH may use or disclose PHI for purposes outside of treatment, payment, or health care operations when the appropriate authorization is obtained. In those instances when we are asked for information for purposes outside of treatment, payment, or health care operations, we will obtain an authorization from you before releasing this information. We will also need to obtain an authorization before releasing your Psychotherapy Notes. "Psychotherapy Notes" are notes we have made about our conversation during a private, group, or family counseling session, which we have kept separate from the rest of your medical record. These notes are given a greater degree of protection than PHI.

You may revoke all such authorizations (Of PHI for Psychotherapy Notes) at any time, provided each revocation is in writing. You may not revoke an authorization to the extent that (1) We have relied on that authorization; or (2) If the authorization was obtained as a condition of obtaining insurance coverage, law provides the insurer the right to contest the claim under the policy

III. Uses and Disclosures without Authorization

SPBH may release PHI to a third-party payor or peer review organization with the prior written consent of you or your legal representative.

SPBH may use or disclose PHI without your consent or authorization in the following circumstances:

- Child Abuse – If we reasonably believe a child, whom we are treating, has been abused, we must report this belief to the appropriate authorities as required by law.
- Adult and Domestic Abuse – If we suspect that a dependent adult has been abused, we must report his suspicion to the appropriate authorities as required by law
- Health Oversight Activities – If we receive a subpoena from the Kansas Behavioral Sciences Regulatory Board for protected health information regarding you, we must comply with that subpoena and disclose that information to the board.
- Judicial administrative Proceedings – If you are involved in a court proceeding and a request is made about the professional services SPBH provided you or the records thereof, such information is privileged under state law, and we will not release information without your written consent or a court order. The privilege does not apply when you are 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 – If SPBH believes you present a clear, imminent risk to another, we may disclose information necessary to seek hospitalization or otherwise protect that individual. If we believe there is a clear and imminent risk that you will harm yourself, we may disclose information necessary to seek hospitalization for you or to alert family members or others who have the ability to help protect you.
- Workers Compensation – SPBH may disclose protected health information regarding you as authorized by and to the extent necessary to comply with laws relating to workers compensations or other similar programs, established by that provide benefits for work-related injuries or illness without regard to fault.

There may be additional disclosures of PHI that we are required or permitted by law to make without your consent or authorization, however the disclosures listed above are the most common

IV. Patients' Rights and Psychologist's duties

Patient Rights:

- *Right to Request Restrictions* – You have the right to request restrictions on certain uses and disclosures of protected health information. However, we are not required to agree to a restriction request.

- *Right to Receive Confidential Communications 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 you are seeing me. On your request, we 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 my mental health and billing records used to make decisions about you for as long as the PHI is maintained in the record. We may deny your access to PHI under certain circumstances, but in some cases, you may have this decision reviewed. On your request, we 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. We may deny your request. On your request, we will discuss with you the details of the amendment process.
- *Right to Accounting* – You generally have the right to receive an accounting of disclosures of PHI. On your request, we 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 from us upon request, even if you have agreed to receive the notice electronically.

Psychologists Duties:

- We are required by law to maintain the privacy of PHI and to provide you with a notice of our legal duties and privacy practices with respect to PHI.
- We reserve the right to change the privacy policies and practices described in this notice. Unless we notify you of such changes, however, we are required to abide by the terms currently in effect.
- If we revise our policies and procedures, we will change our consent form and notify you at that time.

V. Questions and Complaints

- If you have complaints about this notice, disagree with a decision made about access to your records, or have other concerns about your privacy rights, you may contact your SPBH provider.
- If you believe that your privacy rights have been violated and wish to file a complaint with any SPBH provider or her office, you may send your written complaint to 5450 Roberts St. Suite 201, Shawnee, KS 66226, or call our office at 913-378-1061.
- You may also send a written complaint to Kansas Behavioral Regulatory Science Board. Dr. Emily Warnes can provide you with the appropriate address and form for your completion upon request.
- You have specific rights under the Privacy Rule. SPBH will not retaliate against you for exercising your right to file a complaint.

VI. Effective Date, Restrictions, and Changes to Privacy Practice

This notice will go into effect on 03/01/2012 and was updated 01/01/2020

Sunflower Pediatric Behavioral Health reserves the right to change the terms of this notice and to make the new notice provisions effective for all PHI that is maintained.