

HIPAA NOTICE

Family First Psychotherapy Services LLC

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These policies and practices are to protect the privacy of your health information. This notice describes how your medical and mental health information 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

By law, (FFPS) may disclose your protected health information (PHI) for treatment, payment, and health care operations purposes with your written authorization. You may revoke your written authorization at any time, provided that each revocation is in writing. You may not revoke an authorization to the extent that we have relied on that authorization. To help clarify these terms, here are some definitions:

- “*PHI*” refers to protected health information in your FFPS record/file that could identify you.
- “*Treatment and Payment*”
 - *Treatment* is when FFPS provides, coordinates or manages your health care and other services related to your health care. An example of treatment would be when a FFPS provider consults with another health care provider, such as your family physician or another mental health professional.
 - *Payment* refers to the process of obtaining reimbursement for your healthcare. Examples of payment are when FFPS discloses your PHI to your health insurer to facilitate reimbursement for your health care or to determine eligibility or coverage.
- “*Authorization*” is your written permission to disclose confidential mental health information. All authorizations to disclose must be on a specific legally required form.
- “*Disclosure*” applies to activities outside of FFPS (private practice), such as releasing, transferring, or providing access to information about you to other parties, such as your insurance company or emergency health professionals.

II. Other Uses and Disclosures Requiring Authorization

FFPS may use or disclose PHI for purposes outside of treatment, payment, or health care operations when your appropriate authorization is obtained. In those instances when a FFPS provider is asked for information for purposes outside of treatment or payment, the FFPS provider will obtain an authorization from you before releasing this information. The FFPS providers will also need to obtain an authorization before releasing your Psychotherapy Notes or a treatment summary. “*Psychotherapy Notes*” are notes that may have been made about the conversation during a counseling session. 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 that (1) I 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

By law, an FFPS provider may be required to use or disclose PHI without your consent or authorization in the following circumstances:

- *Child Abuse* – If we know or have reasonable cause to suspect in our professional capacity that an identified child has been, or is in immediate danger of being, a mentally or physically abused or neglected child. We are required by law to immediately report such knowledge or suspicion to the appropriate authority.
- *Abuse of a Vulnerable Person* – If we believe or have reason to suspect that a vulnerable adult (i.e. elderly or disabled) is in need of protective services because of abuse, neglect, or exploitation by another person, it must immediately reported to the appropriate authorities.

- *Health Oversight Activities* – If the Maryland Board of Professional Counselors and Therapists investigates or subpoena FFPS’s private practice, it may require your relevant PHI information to be disclosed to the Board should FFPS staff members be the focus of an inquiry.
- *Judicial and Administrative Proceedings* – If you are involved in a court proceeding and a request is made for information about the professional services FFPS provided you and/or the records thereof, such information is privileged under Maryland law, and will not be released without the written authorization of you or your legally appointed representative, or a subpoena and a court order. This 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 we believe disclosure of PHI is necessary to protect you or another individual from a substantial risk of imminent and serious physical injury and or death, FFPS may disclose your PHI to the appropriate individuals. FFPS must take the necessary precautions to protect the third party. These precautions may include (1) warning the potential victim(s), or the parent or guardian of the potential victim(s), if under 18; or (2) notifying a law enforcement officer. If a FFPS staff member believes you present an imminent, serious risk of physical injury or death to yourself, they may make disclosures they consider necessary to protect you from harm.
- *Worker’s Compensation* – If FFPS is providing treatment to you for Worker’s Compensation purposes, FFPS is required by law to, upon request, provide relevant mental health information that could include periodic progress reports, treatment records, and bills to you, the Maryland Office of Hearings and Adjudication, your employer, or your insurer, or their representatives.

IV. Patient’s Rights and the Mental Health Professional's Duties

Patient’s Rights:

- *Right to Request Restrictions* – You have the right to request restrictions on certain uses and disclosures of protected health information. However, FFPS is not required to agree to a restriction you 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, by your written request, FFPS 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. FFPS may deny your access to PHI under certain circumstances, but in some cases you may have this decision reviewed. You may be denied access to Psychotherapy Notes if FFPS believes that a limitation of access is necessary to protect you from a substantial risk of imminent psychological impairment or to protect you or another individual from a substantial risk of imminent and serious physical injury. FFPS shall notify you or your representative if we do not grant complete access. On your request, FFPS provider 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. FFPS may deny your request. On request, a FFPS provider will discuss with you the details of the amendment process.
- *Right to an Accounting* – You generally have the right to receive an accounting of disclosures of PHI. On your request, a FFPS provider 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.

Mental Health Professional’s Duties:

- FFPS is 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.
- FFPS reserves the right to change the privacy policies and practices described in this notice. Unless FFPS notifies you of such changes, FFPS is required to abide by the terms currently in effect.

- If FFPS revises these policies and procedures while your case is still open, FFPS will provide you with a revised notice of privacy policies and procedures either in person or by mail.

V. Complaints

If you are concerned that FFPS has violated your privacy rights, or you disagree with a decision FFPS made about access to your records, you may contact the **Maryland Board of Professional Counselors and Therapists**
4201 Patterson Avenue Baltimore, MD 21215-2299, 410-764-4732 - Main Number

VI. Effective Date, Restrictions and Changes to Privacy Policy

This notice will go into effect on November 10, 2011.