

Davis Mental Health Counseling Services, LLC
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Notice of Privacy Practices

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

Privacy is a very important concern for all those who come to the office. It is also complicated because of the many federal and state laws and our professional ethics. Because the rules are so complicated some parts of this Notice are very detailed and you probably will have to read them several times to understand them. If you have any questions the designated Privacy Officer will be happy to help you understand our procedures and your rights. *Marie A. Davis, LMHC, NCC of Davis Mental Health Counseling Services, LLC 75 Fox Ridge Court, Ste. C, DeBary, FL 32713.*

A. Introduction - To clients

This Notice will tell you how your medical information is handled. It tells you how the information is used in the office, how it is shared with other professionals and organizations, and how you can see it. Davis Mental Health Counseling Services, LLC wants you to know all of this so that you can make the best decisions for yourself and your family. Because the laws of this state and the laws of federal government are very complicated and we don't want to make you read a lot that may not apply to you, a few small parts have been removed. If you have any questions or want to know more about anything in this Notice, please ask any of the office staff, your counselor, or designated Privacy Officer.

B. What I mean by your medical information

Each time you visit Davis Mental Health Counseling Services, LCC., any doctor's office, hospital, clinic, or any other "healthcare providers" information is collected about you and your physical and mental health. It may be information about your past, present or future health or conditions, or the tests and treatment you got from this office or from others, or about payment for healthcare. The information we collect from you is called, in the law, PHI, which stands for **Protected Health Information**. This information goes into your **medical or healthcare record** or file at the office.

In this office this PHI is likely to include these kinds of information:

- Your history: as a child, in school, and at work, marriage and personal history.
- Reasons you came for treatment: Your problems, complaints, symptoms, or needs.
- Diagnoses: Diagnoses are the medical terms for your problems or symptoms.
- A treatment plan: A list of the treatments and any other service, which will be best to help you.
- Progress notes: Each time you come in your counselor writes down some things about how you are doing, what they notice about you, and what you tell them about your status.
- Records received from others who treated you or evaluated you.
- Psychological test scores, school records, and other reports.
- Information about medications you took or are taking.
- Legal matters.
- Billing and insurance information.

This list is just to give you an idea and there may be other kinds of information that go into your healthcare record

here.

This information is used for many purposes. For example, it may be used:

- To plan your care and treatment.
- To decide how well treatments are working for you.
- When talking with other healthcare professionals who are also treating you such as your family doctor or the professional who referred you to me.
- To show that you actually received the service which have been billed to you or to your health insurance company.
- For teaching and training other healthcare professionals.
- For medical or psychological research.
- For public health officials trying to improve health care in this area of the country.
- To improve the way Davis Mental Health Counseling Services, LLC . does its job by measuring the results of the counseling work.

When you understand what is in your record and what it is used for you can make better decisions about whom, when, and why others should have this information.

Although your health record is the physical property of the healthcare practitioner or facility that collected it, the information belongs to you. You can read it and if you want a copy the office can make one for you (**but you will be charged for the costs of copying and mailing, if you want it mailed to you**). In some very rare situations you cannot see all of what is in your records.* If you find anything in your records that you think is incorrect or believe that something important is missing you can ask your counselor to **amend (add information to) your record** although in some rare situations your counselor does not have to agree to do that. If you want, the reason for denial you can explore the reason with a request to Marie A. Davis, LMHC, NCC the Privacy Officer of Davis Mental Health Counseling Services, LLC .

C. Privacy and the laws

Davis Mental Health Counseling Services, LLC is also required to tell you about privacy because of the privacy regulations of a federal law, the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

The HIPAA law requires Davis Mental Health Counseling Services, LLC . to keep your Personal Healthcare Information (or PHI) private and to give you this notice of office legal duties and privacy practices which is called the **Notice of Privacy Practices (or NPP)**. The office will obey the rules of this notice as long as it is in effect but if there are changes made to the rules the new NPP will apply to the entire PHI kept. If the office changes the NPP the office will post the new Notice where everyone can visually see the revised forms. You or anyone else can also get a copy from me the Privacy Officer at any time.

D. How your protected health information can be used and shared

When your information is read and used by the office to make decisions about your care that is called, in the law, “**use**.” If the information is shared with or sent to others outside this office, that is called, in the law, “**disclosure**.” Except in some special circumstances, when the office uses your PHI here or disclose it to others to share only the **minimum necessary** PHI needed for those other people to do their jobs.

The law gives you rights to know about your PHI, how it is used and to have a say in how it is disclosed (shared) and so the office will tell you more about what they do with your information.

Davis Mental Health Counseling Services, LLC . use and disclose PHI for several reasons. Mainly, it will be used and disclosed for routine purposes and will be explain more about these below. For other uses the office must tell you about them and have a written Authorization from you unless the law lets or requires us to make the disclosure without your authorization. However, the law also says that there are some uses and disclosures that don’t need your consent or authorization.

1. Uses and disclosures of PHI in healthcare *with your consent*

After you have read this Notice you will be asked to sign a separate **Consent form** to allow the office to use and share your PHI. In almost all cases the office intends to use your PHI here or share your PHI with other people or organizations to provide **treatment** to you, arrange for **payment** for services, or some other business functions called health care **operations**. Together these routine purposes are called TPO and the Consent form allows us to use and disclose your PHI for TPO. Take a minute to re-read that last sentence until it is clear because it is very important. Next you will learn more about TPO.

1a. For treatment, payment, or health care operations.

The office needs information about you and your condition to provide care to you. You have to agree to let the office collect the information and to use it and share it to care for you properly. Therefore you must sign the Consent form before a counselor begins to treat you because if you do not agree with the consent you cannot be treated.

When you come to see a counselor, he or she may collect information about you and all of it may go into your healthcare records here. Generally, he or she may use or disclose your PHI for three purposes: treatment, obtaining payment, and what are called healthcare operations. Let's see what these mean.

For treatment

The office uses your medical information to provide you with psychological treatments or services. These might include individual, family, or group therapy, psychological, educational, or vocational testing, treatment planning, or measuring the benefits of my services.

The office may share or disclose your PHI to others who provide treatment to you. Davis Mental Health Counseling Services, LLC . is likely to share your information with your personal physician. In addition you may be referred to other professionals or consultants for services that cannot be provided at our office. When this occurs Creative Counseling will need to tell them some things about you and your conditions and get back their findings and opinions which will go into your records here at the office. If you receive treatment in the future from other professionals this will also allow the office to share your PHI with them. These are some examples so that you can see how Davis Mental Health Counseling Services, LLC . will use and disclose your PHI for treatment.

For payment

Davis Mental Health Counseling Services, LLC . may use your information to bill you, your insurance, or others so the office can be paid for the treatment provided to you. The office may contact your insurance company to check on exactly what your insurance covers. The office may have to tell them about your diagnoses, what treatment you have received, and the changes expect in your condition. The office will need to tell them about when you entered treatment, your progress, and other similar things.

For health care operations

There are a few other ways the office may use or disclose your PHI for what are called health care operations. For example, the office may use your PHI to see where we can make improvements in the care and services provided. Davis Mental Health Counseling Services, LLC . may be required to supply some information to some government health agencies so they can study disorders and treatment and make plans for services that are needed. If this is done, your name and personal information will be removed from what is sent.

1b. Other uses in healthcare

Appointment Reminders: Davis Mental Health Counseling Services, LLC . may use and disclose medical information to reschedule or remind you of appointments for treatment or other care. If you want the office to call you only at your home or your work or prefer some other way to reach you, the office can arrange that. Just let us know.

Treatment Alternatives: Davis Mental Health Counseling Services, LLC may use and disclose your PHI to tell you about or recommend possible treatments or alternatives that may be of help to you.

Other Benefits and Services: Davis Mental Health Counseling Services, LLC may use and disclose your PHI to tell you about health-related benefits or services that may be of interest to you.

Business Associates: There are some jobs Davis Mental Health Counseling Services, LLC may hire other businesses to do. In the law, they are called my Business Associates. Examples include a copy service used to make copies of your health records and a billing service that figures out, prints, and mails bills. These business associates need to receive some of your PHI to do their jobs properly. To protect your privacy they have agreed in their contract with the office to safeguard your information.

2. Uses and disclosures that require your *Authorization*

If Davis Mental Health Counseling Services, LLC wants to use your information for any purpose besides the TPO or those described above the office will need your permission on an **Authorization form**. We don't expect to need this very often.

If you do authorize us to use or disclose your PHI, you can revoke (cancel) that permission, in writing, at any time. After that time we will not use or disclose your information for the purposes that we agreed to. Of course, we cannot take back any information we had already disclosed with your permission or that we had used in my office.

3. Uses and disclosures of PHI from mental health records that don't *require* a Consent or Authorization

The law lets us use and disclose some of your PHI without your consent or authorization in some cases. Here are examples of when we might have to share your information.

When required by law

There are some federal, state, or local laws, which require us to disclose PHI.

- We have to report suspected child abuse.
- If you are involved in a lawsuit or legal proceeding and we may have to release some of your PHI. The office will only do so after telling you getting consent to release information, consult with your lawyer, or if a court order from a judge is received requesting your PHI.
- If we have to disclose some information to the government agencies, which check on the office to see that we are obeying the privacy laws.

For Law Enforcement Purposes

Davis Mental Health Counseling Services, LLC may release medical information if asked to do so by law enforcement official to investigate a crime or criminal as the law requires.

For Public Health Activities

Davis Mental Health Counseling Services, LLC might disclose some of your PHI to agencies, which investigate diseases or injuries as the law requires.

Relating to Decedents

Davis Mental Health Counseling Services, LLC might disclose PHI to coroners, medical examiners or funeral directors, and to organizations relating to organ, eye, or tissue donations or transplants, as the law requires.

For Specific Government Functions

Davis Mental Health Counseling Services, LLC may disclose PHI of military personnel and veterans to government benefit programs relating to eligibility and enrollment. We may disclose your PHI to Workers Compensation and Disability programs, to correctional facilities if you are an inmate, and for national security reasons.

To Prevent a Serious Threat to Health or Safety

If we come to believe that there is a serious threat to your health or safety or that of another person or the public we are required by law to disclose some of your PHI. This will only be provided to the required persons by law.

4. Uses and disclosures where you have an opportunity to object

The office can share some information about you with your family or close others. Davis Mental Health Counseling Services, LLC will only share information with those involved in your care and anyone else you choose such as close friends or clergy. We will ask you about whom you want us to tell what information about your condition or treatment. You can tell us what you want and we will honor your wishes as long as it is not against the law.

If it is an emergency and we cannot ask if you disagree – We will then share information about you that is necessary or we believe you would have wanted to get the help you needed at the time of an event. If we do share information, in an emergency, we will tell you as soon as we can. If you don't approve we will stop, as long as it is not against the law.

5. An accounting of disclosures

When Davis Mental Health Counseling Services, LLC discloses your PHI we may keep some records defining who we sent it to, when we sent it, and what we sent. You can get an accounting (a list) of many of these disclosures.

E. Your rights regarding your health information

1. You can ask us to communicate with you about your health and related issues in a particular way or at a certain place, which is more private for you. For example, you can ask us to call you at home and not at work to schedule or cancel an appointment. We will try our best to do as you ask.
2. You have the right to ask us to limit what we tell people involved in your care or the payment for your care, such as family members and friends. While we don't have to agree to your request, if we do agree, we will keep our agreement except if it is against the law, or in an emergency, or when the information is necessary to treat you.
3. You have the right to look at the health information we have about you such as your medical and billing records. This excludes "psychotherapy notes" these are notes that counselors may write which record the conversation between you and the counselor during a private counseling, group, joint or family session. The "psychotherapy notes" are protected by federal law and are for the counselor only. If the counselor decides to keep "psychotherapy notes", with regards to his or her treatment with you, an authorization from you will have to be provided if these particular notes are requested by another provider. You can even get a copy of these records but we may charge you. Contact the Privacy Officer to arrange how to see your records. See below.
4. If you believe the information in your records is incorrect or missing important information, you can ask to make some kinds of changes (called amending) to your health information. You have to make this request in writing to the Privacy Officer. You must define the reasons you want to make the changes.
5. You have the right to a copy of this notice. If the office changes this NPP we will post the new version in our waiting area and you can always get a copy of the NPP from your counselor, office staff, or the Privacy Officer.
6. You have the right to file a complaint if you believe your privacy rights have been violated. You can file a complaint with the Privacy Officer and with the Secretary of the Department of Health and Human Services. All complaints must be in writing. Filing a complaint will not change the health care provided to you in any way.

Also, you may have other rights, which are granted to you by the laws of our state and these may be the same or different from the rights described above. The office staff or counselor will be happy to discuss

these situations with you now or as they arise.

F. If you have questions or problems

If you need more information or have questions about the privacy practices described above please ask the Privacy Officer of Davis Mental Health Counseling Services, LLC ... If you have a problem with how your PHI has been handled or if you believe your privacy rights have been violated, contact the Privacy Officer. You have the right to file a complaint with our office and with the Secretary of the Federal Department of Health and Human Services. Davis Mental Health Counseling Services, LLC promise that we will not in any way limit your care here or take any actions against you if you complain.

If you have any questions regarding this Notice or our health information privacy policies, please contact the Privacy Officer Marie A. Davis, LMHC, NCC of Davis Mental Health Counseling Services, LLC . 75 Fox Ridge Court, Ste. C, DeBary, Fl. 32713 or can be reached by phone at (407) 416-5454.

Signature of Client

Date of Signature

Signature of Guardian/Parents

Date of Signature