

Jason M. Adams, LPC, NCC

Licensed Professional Counselor • National Certified Counselor
www.JasonAdamsOnline.com

NOTICE OF PRIVACY PRACTICES FOR PERSONAL HEALTH INFORMATION

Your privacy is protected by the Health Insurance Portability and Accountability Act (HIPAA). 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.

Summary

This Notice describes how your personal health information (PHI) is protected, and how Jason M. Adams, LPC, may use and disclose this information. PHI includes personally identifiable information that relates to your past, present, or future health, treatment, or payment for health care services. Mr. Adams and his professional staff are required to comply with this privacy policy and have access to this information only when there is an appropriate reason to do so, such as to confer with other health care providers or to submit claims for these services.

Under the Health Insurance Portability and Accountability Act (HIPAA), you are afforded privacy rights regarding the use and disclosure of your health information. These include:

- A right to be informed of the potential uses and disclosures of your protected health information, and to limit those uses and disclosures of this protected health information;
- A right to receive this written notice that explains how we may use and disclose your protected health information, your rights under HIPAA's privacy rule, and Mr. Adams' responsibilities as a covered entity under HIPAA;
- A right to a paper copy of this notice, or to have your legally designated representative receive a copy of this notice (you are asked to acknowledge receipt of this notice)
- A right to amend your record, to restrict what information from your record is disclosed to others, and to receive an accounting of disclosures of this information that were made without your authorization, other than for treatment, payment or health care operations;
- A right to have your complaints about these policies and procedures recorded by Mr. Adams in your records.

As a health care provider, Mr. Adams is making a good faith effort to see that you or your representative have received and acknowledged this notice of privacy practices. If you are seen for emergency treatment, you will receive this notice as soon as practically possible afterward.

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

Mr. Adams may use or disclose your protected health information (PHI), for certain treatment, payment, and health care operations purposes without your authorization. To help clarify these terms, here are some definitions:

- *PHI* refers to information in your health record that could identify you.
- *Treatment* is when Mr. Adams or another health care provider diagnoses or treats you. An example of treatment would be when Mr. Adams consults with another health care provider, such as your family physician or another psychotherapist, regarding your treatment.
- *Payment* is when Mr. Adams obtains reimbursement for your healthcare. Examples of payment are when Mr. Adams discloses your PHI to your health insurer to obtain reimbursement for your health care or to determine eligibility or coverage.
- *Health Care Operations* is when Mr. Adams discloses your PHI to your health care service plan (for example your health insurer), or to your other health care providers contracting with your plan, for administering the plan, such as case management and care coordination.
- *Use* applies only to activities within Mr. Adams' office, such as sharing, employing, applying, utilizing, examining, and analyzing information that identifies you.
- *Disclosure* applies to activities outside of Mr. Adams' office, such as releasing, transferring, or providing access to information about you to other parties.
- *Authorization* means written permission for specific uses or disclosures. All authorizations to disclose must be on a specific, legally required form.

II. Uses and Disclosures Requiring Authorization

Mr. Adams may use or disclose PHI for purposes outside of treatment, payment, and health care operations when your appropriate authorization is obtained. In those instances when Mr. Adams is asked for information for purposes outside of treatment and payment operations, Mr. Adams will obtain an authorization from you before releasing this information.

You may revoke or modify all such authorizations of PHI at any time, provided each revocation is in writing; however, the revocation or modification is not effective until Mr. Adams receives it. You may not revoke an authorization to the extent that (1) Mr. Adams has relied on that information; or (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. Uses and Disclosures with Neither Consent nor Authorization

Mr. Adams may use or disclose PHI without your consent or authorization in the following circumstances:

- *Child Abuse* – Whenever Mr. Adams, in his professional capacity, has knowledge of or observes a child Mr. Adams knows or reasonably suspects has been the victim of child abuse or neglect, Mr. Adams must immediately report such to a police or sheriff's department, county probation department, or county or state welfare department.

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- *Adult and Domestic Abuse* – If Mr. Adams, in his professional capacity, has observed or has knowledge of an incident that reasonably appears to be physical abuse, abandonment, abduction, isolation, financial abuse or neglect of an elder or dependent adult, or if Mr. Adams is told by an elder or dependent adult that he or she has experienced these, or if Mr. Adams reasonably suspects such, he must report the known or suspected abuse immediately to the local ombudsman or the local law enforcement agency.
- *Health Oversight* – If a complaint is filed against Mr. Adams with the State Board that licenses his profession, the Board has the authority to subpoena confidential mental health information from Mr. Adams relevant to that complaint.
- *Serious Threat to Health or Safety* – If you communicate to Mr. Adams a serious threat of physical violence against an identifiable victim, Mr. Adams must make reasonable efforts to prevent harm, which may include communicating that information to the potential victim and the police. If Mr. Adams has reasonable cause to believe that you are in such a condition as to be dangerous to yourself or others, Mr. Adams may release relevant information as necessary to prevent the threatened danger.
- *Judicial or Administrative Proceedings* – If you are involved in a court proceeding and a request is made about the professional services that Mr. Adams has provided you, Mr. Adams must not release your information without:
 - your written authorization or the authorization of your attorney or personal representative; or
 - a court orderThe privilege does not apply when you are being evaluated for a third party or where the evaluation is court-ordered. Mr. Adams will inform you in advance if this is the case.

IV. Patient's Rights and Provider'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 about you. However, Mr. Adams 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, you may not want a family member to know that you are seeing Mr. Adams and may request that Mr. Adams not telephone your residence).
- *Right to Inspect and Copy* – You have the right to inspect or obtain a copy (or both) of PHI in Mr. Adams' mental health and billing records used to make decisions about you for as long as the PHI is maintained in the record. Mr. Adams may deny your access to PHI under certain circumstances, but in some cases you may have this decision reviewed. On your request, Mr. Adams 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. Mr. Adams may deny your request. On your request, Mr. Adams 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 for which you have neither provided consent nor authorization (as described in Section III of this Notice). On your request, Mr. Adams 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 Mr. Adams upon request, even if you have agreed to receive the notice electronically.

Duties of Provider:

- Mr. Adams is required by law to maintain the privacy of PHI and to provide you with a notice of his legal duties and privacy practices with respect to PHI.
- Mr. Adams reserves the right to change the privacy policies and practices described in this notice. Unless Mr. Adams notifies you of such changes, however, he is required to abide by the terms currently in effect.
- If Mr. Adams revises his policies and procedures, Mr. Adams will provide you with a written copy of the revised policies and procedures at the earliest possible opportunity following this revision, in person, by mail, or electronically.

V. Complaints

If you are concerned that Mr. Adams has violated your privacy rights, or you disagree with a decision Mr. Adams made about access to your records, you may contact the Compliance Officer for further information.

For complaints, call (817) 993-9410, or write: Jason M. Adams, LPC, P.O. Box 2794, Keller, TX 76244

You may also send a written complaint to the Secretary of the U.S. Department of Health and Human Services. Mr. Adams will provide the appropriate address upon request. It is also available online.

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

This notice went into effect March 1, 2012. Mr. Adams reserves the right to change the terms of this notice and to make the new notice provisions effective for all PHI that Mr. Adams maintains. Mr. Adams will post a copy of the revised notice on his website at the earliest opportunity following the revision.