

## **Provisions of the Health Insurance Portability and Accountability Act (HIPAA)**

Passed in 1996, HIPAA standards became effective in April 2003. One of the purposes of this legislation was to adopt consistent standards for transmitting uniform electronic health care claims. In order to fulfill this purpose, Congress adopted related standards for securing the storage of that information and for protecting individual patient's privacy. HIPAA uses the term Protected Health information (PHI) to refer to confidential information.

In most cases, Psychotherapy Associates policy regarding management of confidential information is more stringent than standards set by HIPAA. We are required by law, however, to provide all patients with the following information regarding HIPAA-mandated standards regarding how your protected health information may be used:

- Health information you provide to Psychotherapy Associates clinicians and staff will be recorded in your clinical records. Information regarding your treatment may be included in your records for the use of your therapist as well as any other Psychotherapy Associates clinician who might be called upon to provide care to you.
- Information regarding your health and care may be used to obtain payment for your psychotherapy.
- We may use or disclose your diagnosis, treatment, and outcome information in order to improve the quality or cost of care we deliver. These activities may include evaluating the performance of our clinicians, examining the effectiveness of the treatment provided to you when compared to patients in similar situations, and providing education to mental health professionals.
- If relatives or significant others are helping care for you or helping you pay your psychotherapy bills, we may release important health information about you to them. The information released may include dates and types of treatment provided.
- Persons or organizations that provide services for us under contract may have access to your health information. We might, for instance, contract with a medical records management company to convert your outdated clinical records to microfilm. Our business associates are required to protect all clinical information we provide to them.
- We may use your health information to tell you about health-related benefits or services of interest. For example, we may contact you to provide information regarding an upcoming psychoeducational group or to remind you of an appointment.
- We may use or disclose your health information when required to do so by local, state or federal law. An example is the mandatory reporting of child abuse.
- We may disclose your health information to a health oversight agency for activities authorized by law such as audits and licensure investigations. These agencies might include government agencies that oversee the health care system, government benefit programs, other government regulatory programs, and civil rights law.
- We may disclose your health information to coroners or medical examiners so that they can carry out their duties including identifying your body and determining cause of death.
- We may provide health information for law enforcement purposes, including but not limited to crimes occurring on-site; and in emergency situations to report a crime, the location of the crime or victims involved.
- We may disclose your health information to authorized federal officials for conducting national security activities.
- We may disclose your health information in response to a court or administrative order and, in certain conditions, in response to a subpoena or other lawful process.
- We may disclose your health information to comply with workers' compensation laws and similar programs that pay for your psychotherapy connected to a work-related illness or injury.
- We may use and disclose your health information when needed to prevent a serious threat to your health and safety or the health and safety of other people. The information may be provided only to someone able to help prevent the threat.

HIPAA legislation specifies that you have these rights with regard to your protected health information:

You may ask for restrictions on how your health information is used or disclosed for treatment, payment, research and education. Your request must be in writing and must include (1) what information you want to limit; (2) whether you want to limit our use, disclosure, or both; and (3) to whom you want the limits to apply. HIPAA does not require us to agree with your requested restrictions.

You have the right to ask that we communicate your health information to you using alternative means or an alternative location. For example, you may wish to receive information through a written letter sent to a private address.

In some limited instances, you have the right to ask for a list of the disclosures we have made of your protected health information. All such requests must be made in writing. The disclosure must have been made after April 14, 2003 and no more than six years from the date of your request for an accounting. We are not required to list disclosures made for treatment, payment, research, education, national security, certain health oversight activities, or disclosures authorized by you or your legal guardian.

You may withdraw your authorization to release confidential information at any time, as long as your withdrawal is in writing. You may ask us to give you a paper copy of this listing at any time.

If you believe your privacy rights have been violated, you have a right to file a complaint with us and with the federal Department of Health and Human Services. We may not retaliate against you for filing such a complaint.