

Abiding Light Therapy LLC

Provider: Jessica Markowski, MSW, LCSW

NOTICE OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW HEALTH INFORMATION MAY BE USED AND DISCLOSED AND HOW CLIENTS CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

I. MY PLEDGE REGARDING HEALTH INFORMATION: I understand that health information about clients and their health care is personal. I am committed to protecting health information about clients. I create a record of the care and services clients receive from me. I need this record to provide clients with quality care and to comply with certain legal requirements. This notice applies to all of the records of client care generated by this mental health care practice. This notice will tell clients about the ways in which I may use and disclose health information. I also describe clients' rights to the health information I keep about them, and describe certain obligations I have regarding the use and disclosure of this health information. I am required by law to:

- Make sure that protected health information ("PHI") that identifies clients is kept private.
- Give clients this notice of my legal duties and privacy practices with respect to health information.
- Follow the terms of the notice that is currently in effect.
- I can change the terms of this Notice, and such changes will apply to all information I have about clients. The new Notice will be available upon request, in my office, and on my website.

II. HOW I MAY USE AND DISCLOSE HEALTH INFORMATION ABOUT YOU:

The following categories describe different ways that I use and disclose health information. For each category of uses or disclosures I will explain what I mean and try to give some examples. Not every use or disclosure in a category will be listed. However, all of the ways I am permitted to use and disclose information will fall within one of the categories.

For Treatment Payment, or Health Care Operations:

Federal privacy rules (regulations) allow health care providers who have direct treatment relationship with the client to use or disclose the client's personal health information without the client's written authorization, to carry out the health care provider's own treatment, payment or health care operations. I may also disclose client protected health information for the treatment activities of any health care provider. This too can be done without client's written authorization. For example, if a provider were to consult with another licensed health care provider about a client's condition, I may use and disclose client PHI for diagnosis and treatment.

Disclosures for treatment purposes are not limited to the minimum necessary standard. Because therapists and other health care providers need access to the full record and/or full and complete information in order to provide quality care. The word "treatment" includes, among other things, the coordination and management of health care providers with a third party, consultations between health care providers and referrals of a patient for health care from one health care provider to another.

Lawsuits and Disputes:

If clients are involved in a lawsuit, I may disclose health information in response to a court or administrative order. I may also disclose health information about a minor client in response to a

subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to notify the client's parent or guardian about the request or to obtain an order protecting the information requested.

III. CERTAIN USES AND DISCLOSURES REQUIRE YOUR AUTHORIZATION:

- Psychotherapy Notes. I do keep "psychotherapy notes" as that term is defined in 45 CFR § 164.501, and any use or disclosure of such notes requires client Authorization unless the use or disclosure is:
 - a. For my use in treating the client.
 - b. For my use in training or supervising mental health practitioners to help them improve their skills in group, joint, family, or individual counseling or therapy.
 - c. For my use in defending myself in legal proceedings instituted by the client.
 - d. For use by the Secretary of Health and Human Services to investigate my compliance with HIPAA.
 - e. Required by law and the use or disclosure is limited to the requirements of such law.
 - f. Required by law for certain health oversight activities pertaining to the originator of the psychotherapy notes.
 - g. Required by a coroner who is performing duties authorized by law.
 - h. Required to help avert a serious threat to the health and safety of others.
- Marketing Purposes: I will not use or disclose client PHI for marketing purposes.
- Sale of PHI: I will not sell client PHI in the regular course of my business.

IV. CERTAIN USES AND DISCLOSURES DO NOT REQUIRE CLIENT AUTHORIZATION

Subject to certain limitations in the law, the provider may use and disclose a client's protected health information (PHI) without the client's Authorization for the following reasons:

- When disclosure is required by Missouri or federal law, and the use or disclosure complies with and is limited to the relevant requirements of such law.
- For public health activities, including reporting suspected child, elder, or dependent adult abuse, or preventing or reducing a serious threat to anyone's health or safety.
- For health oversight activities, including audits and investigations.
- For judicial and administrative proceedings, including responding to a court or administrative order, although the provider's preference is to obtain an Authorization from the client before doing so.
- For law enforcement purposes, including reporting crimes occurring on the provider's premises.
- To coroners or medical examiners, when such individuals are performing duties authorized by law.
- For research purposes, including studying and comparing the mental health of clients who received one form of therapy versus another, in accordance with HIPAA.
- Specialized government functions, including ensuring the proper execution of military missions; protecting the President of the United States; conducting intelligence or counter-intelligence operations; or helping to ensure the safety of those working within or housed in correctional institutions
- For workers' compensation purposes, although the provider's preference is to obtain an Authorization from the client, the provider may provide PHI to comply with workers' compensation laws. Appointment reminders and health related benefits or services. I may use and disclose your PHI to contact you to remind you that you have an appointment with

me. I may also use and disclose your PHI to tell you about treatment alternatives, or other health care services or benefits that I offer.

V. CERTAIN USES AND DISCLOSURES REQUIRE YOU TO HAVE THE OPPORTUNITY TO OBJECT.

- Disclosures to family, friends, or other: I may disclose a client's PHI to a family member, friend, or other person whom the client designates as involved in the client's care or in the payment of health care, unless the client objects in whole or in part. In emergency situations, the provider may obtain consent retroactively.
- VI.CLIENT RIGHTS REGARDING PHI
- The Right to Request Limits on Uses and Disclosures of Client PHI.
The client has the right to ask the provider not to use or disclose certain PHI for treatment, payment, or health care operations purposes. The provider is not required to agree to the client's request and may say "no" if it is believed that doing so would affect the client's health care.
- The Right to Request Restrictions for Out-of-Pocket Expenses Paid in Full.
The client has the right to request restrictions on disclosures of PHI to health plans for payment or health care operations purposes if the PHI pertains solely to a health care item or a health care service that the client has paid for out-of-pocket in full.
- The Right to Choose How PHI is Sent to the Client.
The client has the right to ask the provider to be contacted in a specific way (for example, home or office phone) or to have mail sent to a different address, and the provider will agree to all reasonable requests.
- The Right to See and Get Copies of Client PHI.
Other than "psychotherapy notes," the client has the right to get an electronic or paper copy of the medical record and other information that the provider has about the client. The provider will provide a copy of the record, or a summary if the client agrees to receive a summary, within 30 days of receiving a written request, and may charge a reasonable, cost-based fee for doing so.
- The Right to Get a List of the Disclosures the Provider Has Made.
The client has the right to request a list of instances in which the provider has disclosed PHI for purposes other than treatment, payment, or health care operations, or for which the client provided an Authorization. The provider will respond to the request for an accounting of disclosures within 60 days of receiving the request. The list provided will include disclosures made in the last six years unless the client requests a shorter time. The provider will provide the list at no charge, but if the client makes more than one request in the same year, a reasonable cost-based fee may be charged for each additional request.
- The Right to Correct or Update Client PHI.
If the client believes that there is a mistake in PHI, or that a piece of important information is missing from PHI, the client has the right to request that the provider correct the existing information or add the missing information. The provider may deny the request but will provide a written explanation within 60 days of receiving the request.
- The Right to Get a Paper or Electronic Copy of This Notice.
The client has the right to get a paper copy of this Notice, and the client also has the right to get a copy of this Notice by e-mail. Even if the client has agreed to receive this Notice via e-mail, the client still has the right to request a paper copy.

- BY SIGNING BELOW I AM AGREEING THAT I HAVE READ, UNDERSTOOD AND AGREE TO THE ITEMS CONTAINED IN THIS DOCUMENT.