

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.**

Effective Date of this Notice and Policy: August 1st, 2013

PURPOSE: Marriage and Family Services, Inc. and its professional staff, employees, and trainees follow the privacy practices described in this Notice. Marriage and Family Services, Inc. keeps your mental health information in records that are maintained and protected in a confidential manner, as required by law. Please note that in order to provide you with the best possible care and treatment, all professional staff involved in your treatment — and all employees involved in the health care operations of the agency — may have access to your records. Your health record contains personal information about you and your health. This information, which can be used to identify you, is referred to as Protected Health Information ("PHI"). PHI concerns your past, present, or future physical or mental health condition(s) and related health care services. This Notice of Privacy Practices describes how we may use and disclose your PHI in accordance with applicable law, including the Health Insurance Portability and Accountability Act ("HIPAA") and the regulations promulgated under HIPAA, including the HIPAA Privacy and Security Rules.

WHAT ARE TREATMENT and HEALTH CARE OPERATIONS:

Your treatment involves sharing information among mental health care providers who are involved in your mental health care services. For example, if you have a release on record, a psychotherapist may share information with your physician or other healthcare provider for the purpose of coordinating your care. Treatment records may be reviewed as part of an ongoing process that is directed toward assuring the quality of Agency operations. Staff members designated by the Quality Improvement Committee may also access clinical records periodically to verify that Agency standards are met.

HOW WILL MARRIAGE AND FAMILY SERVICES, INC. USE MY PROTECTED HEALTH INFORMATION:

We are required by law to maintain the privacy of PHI, as well as to provide you with notice of our legal duties and privacy practices with respect to PHI. We are required to abide by the terms of this Notice of Privacy Practices. We reserve the right to change the terms of our Notice of Privacy Practices at any time. Any new Notice of Privacy Practices will be effective for all PHI that we maintain at that time. We will provide you with a copy of the revised Notice of Privacy Practices by posting a copy on our website, sending a copy to you in the mail upon request, or providing one to you at your next appointment. Your personal record will be retained by Marriage and Family Services, Inc. for approximately seven (7) years after your last clinical contact. After that time has elapsed, your practice records will be erased, shredded, burned, or otherwise destroyed in a way that protects your privacy. Copies of service records that have been distributed to other entities (e.g., your physician) may continue to exist and remain managed by those entities' policies.

Until the records are destroyed, they may be used for the following purposes (unless you request restrictions on a specific use or disclosure):

- To provide appointment reminders and notifications when an appointment is cancelled or rescheduled.
- To support public health interests, which may include reporting of child or elder abuse or neglect; reporting reactions to medications; infectious disease control; notifying authorities of suspected abuse, neglect, or domestic violence (if you agree or as required by law).
- For mental health oversight activities, (e.g., audits, inspections, and investigations of the administration and management of Marriage and Family Services, Inc.).
- For lawsuits and disputes.
- For law enforcement to: (i) identify or locate an individual being sought by authorities (e.g., in response to a court order or other legal process), (ii) gain information about a victim of a crime under restricted circumstances, (iii) be informed about a death that may be the result of criminal conduct, (iv) gain information about criminal conduct that occurred in the practice, and/or (v) be informed when emergency circumstances relating to a crime occur.

- To prevent a serious threat to health or safety.
- To carry out mental health services and through transcription and billing services.
- To perform specialized government functions, such as (i) communicating with military command authorities, if you are a member of the armed forces or a member of a foreign military authority; (ii) facilitating national security and intelligence activities; (iii) facilitating protection of the President or other authorized persons for foreign heads of state; and/or (iv) conducting special investigations.

Regarding these records, please be aware that:

- Psychotherapy notes that are kept separate from the record enjoy special protection, requiring authorization for release (with certain exceptions).
- Psychotherapy notes exclude counseling session start and stop times, the results of clinical tests, and any summary of the following items: diagnosis, functional status, treatment plan, symptoms, prognosis, and progress to date, employment, application, utilization, examination, or analysis of such information within an entity that maintains such information.
- Alcohol and drug abuse information has special privacy protections. Marriage and Family Services, Inc. will not disclose any information identifying an individual as being a client, nor provide any mental health or medical information regarding a client's substance abuse/mental health services, unless: (i) the client consents in writing; (ii) a court order requires disclosure of the information; (iii) medical personnel need the information to meet a medical emergency; (iv) qualified personnel use the information for the purpose of conducting research, management audits, or program evaluation; or (v) it is necessary, as required by law, to report a crime, a threat to commit a crime, and/or the occurrence of abuse or neglect.

YOUR AUTHORIZATION IS REQUIRED FOR OTHER DISCLOSURES: Except as described previously, we will not use or disclose information from your record unless you authorize (permit) in writing for us to do so. You may revoke your permission at any time, though it will be effective only after the date of your written revocation.

Disclosures Made With Authorization: Uses and disclosures not specifically permitted by applicable law will be made only with your written authorization, which may be revoked at any time, except to the extent that we have already made a use or disclosure based upon your authorization. The following uses and disclosures will be made only with your written authorization: (i) most uses and disclosures of psychotherapy notes, which are separated from the rest of your medical record; (ii) most uses and disclosures of PHI for marketing purposes, including subsidized treatment communications; (iii) disclosures that constitute a sale of PHI; and (iv) other uses and disclosures not described in this Notice of Privacy Practices.

YOU HAVE RIGHTS REGARDING YOUR PROTECTED HEALTH INFORMATION: You have the following rights regarding your health information, provided that you make a written request to invoke the right on the form supplied by Marriage and Family Services, Inc.

- ***Right to request restrictions.*** You may request limitations on your mental health information we may disclose, but we are not required to agree to your request. If we agree, we will comply with your request unless the information is needed to provide you with emergency mental health services.
- ***Right to confidential communications.*** You may request communications in a certain way or at a certain location, but you must specify how or where you wish to be contacted.
- ***Right to request clarification of the record.*** If you believe that the information we have about you is incorrect or incomplete, you may ask to add clarifying information. You may ask us to provide a form for that purpose, and the form will require certain specific information. Please note that Marriage and Family Services, Inc. is not required to accept the information that you propose.
- ***Right to inspect and copy.*** You may have the right to inspect and copy your mental health information regarding decisions about your care. However, psychotherapy notes may not be inspected and copied. You have the right (which may be restricted only in exceptional circumstances, as described below) to inspect and copy PHI that is maintained in a "designated record set." A designated record set contains mental/medical

health records, billing records, and any other records that are used to make decisions about your care. Your right to inspect and copy PHI will be restricted only in those situations where (i) there is compelling evidence that access would cause serious harm to you, or (ii) if the information is contained in separately maintained psychotherapy notes. We may charge a reasonable, cost-based fee for copies. If your records are maintained electronically, you may request an electronic copy of your PHI. You may also request that a copy of your PHI be provided to another person. If your request is denied, you may ask for a review of the denial by another licensed mental health professional chosen by Marriage and Family Services, Inc. Marriage and Family Services, Inc. will comply with the outcome of the review.

- ***Right to accounting of disclosures.*** You may request a list of the disclosures of your mental health information that have been made to persons or entities other than for mental health services or health care operations in the last eight (8) years, but not prior to June 1st, 2013.
- ***Right to breach notification.*** If there is a breach of unsecured PHI that involves you, we may be required to notify you of this breach, including what happened and what you can do to protect yourself.
- ***Right to a copy of this notice.*** You may request a paper copy of this Notice at any time, even if you have been provided with an electronic copy. You may also print out a copy of this notice from our website.
- ***Right to amend.*** If you feel that the PHI we have about you is incorrect or incomplete, you may ask us to amend the information, although we are not required to agree to the amendment. If we deny your request for amendment, you have the right to file a statement of disagreement with us. We may prepare a rebuttal to your statement and will provide you with a copy. Please contact the Privacy Officer if you have any questions.

REQUIREMENTS REGARDING THIS NOTICE: Marriage and Family Services, Inc. is required to provide you with this Notice which governs our privacy practices. Marriage and Family Services, Inc. may change its policies or procedures in regard to privacy practices. If and when such changes occur, they will take effect for the mental health information that we currently have about you, as well as for any information that we may receive in the future. Any time you visit Marriage and Family Services, Inc. for an appointment, you may ask for and receive a copy of the Privacy Notice that is in effect at the time.

COMPLAINTS: If you believe your privacy rights have been violated, you may file a complaint with Marriage and Family Services, Inc. or with the HHS Office of Civil Rights. You will not be penalized or retaliated against in any way for making a complaint. You may contact Marriage and Family Services, Inc. and ask to speak to the person/official responsible for privacy at 561-774-8225.

If you (i) have a complaint; (ii) have any questions about this notice; and/or (iii) wish to request restrictions on uses and disclosure for health care, mental health services, or operations; then you may obtain any of the aforementioned forms to exercise your individual rights as they are described above.

NOTICE OF PRIVACY PRACTICES

SUMMARY OF NOTICE:

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.

Marriage and Family Services, Inc. retains a record of your medical information. While this information is personal and private, our staff needs access to it for a few reasons. First, we use the information to serve you here and/or to refer you for services elsewhere. Second, we may use the information at the request of your insurance company regarding reimbursement for the services you receive. Finally, we use this information for our service operations, which refers to the work our company must do to provide services to you and our other clients.

Under the law, each client has certain rights to the medical information kept at Marriage and Family Services, Inc. These rights are:

- **Access.** You can ask to look at your information.
- **Restriction.** You can ask to limit who sees your information. You can ask to limit what information is sent out.
- **Accounting.** You can ask to see the list of places where your information has been sent.
- **Amending.** You can ask to change medical information if it is wrong.
- Clients also have the right to file a complaint regarding privacy with the Secretary of Health and Human Services, toll-free 1-877-696-6775.

For further information, contact our Privacy Officer at 561-774-8225.

I acknowledge that I have received and have been given an opportunity to read a copy of the full version of Notice of Privacy Practices for Marriage and Family Services, Inc.

I understand that if I have any questions regarding the Notice or my privacy rights, I can contact the agency Privacy Officer. I understand that a copy of the Notice is also available on the Agency's website.