

HB Psychotherapy, PLC

Hannah Bousek, LMFT
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319.244.8004

Privacy Practices

Notice of Privacy Practices: This notice describes how health information may be used and disclosed and how you can get access to this information. Please review it carefully.

I. MY PLEDGE REGARDING HEALTH INFORMATION: HB Psychotherapy, PLC and staff of HB Psychotherapy, PLC understands that health information about you and your health care is personal. A record of the services you receive is created in accordance with providing quality care and compliance with certain legal-ethical requirements. This notice applies to all of the records of your care generated by HB Psychotherapy, PLC and staff of HB Psychotherapy, PLC. This notice will describe the ways records and health information about you may be used and disclosed. Included are your rights to the health information kept about you and descriptions of certain obligations regarding the use and disclosure of your health information. HB Psychotherapy, PLC and HB Psychotherapy, PLC staff are required by law to:

- Make sure that protected health information (“PHI”) that identifies you is kept private.
- Give you this notice of legal duties and privacy practices with respect to health information.
- Follow the terms of the notice that is currently in effect.
- Changes to the terms of this Notice are permitted and such changes will apply to all information maintained about you. The new Notice will be available upon request and posted on hbpsychotherapy.com

Note: When “HB Psychotherapy, PLC” is utilized in the proceeding document, it refers to both the legal business entity and staff of HB Psychotherapy, PLC.

II. HOW YOUR HEALTH INFORMATION MAY BE USED AND DISCLOSED: The following categories describe different ways your health information may be used and disclosed. Each category of uses or disclosures will be explained with some examples; not every use or disclosure in a category will be listed. However, all of the ways HB Psychotherapy, PLC is permitted to use and disclose information will fall within one of the categories.

For Treatment Payment, or Health Care Operations: Federal privacy rules allow health care providers who have a direct treatment relationship with the patient/client to use or disclose the patient/client’s personal health information without the patient’s written authorization, to carry out the health care provider’s own treatment, payment or health care operations. HB Psychotherapy, PLC may also disclose your protected health information for the treatment

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activities of any staff health care provider. This too can be done without your written authorization. For example, if a clinician were to consult with another licensed health care provider about treatment and care of your condition, HB Psychotherapy, PLC/the the therapist would be permitted to use and disclose your personal health information, which is otherwise confidential, in order to assist the clinician in diagnosis and treatment of your mental health condition.

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 you are involved in a lawsuit, HB Psychotherapy, PLC may disclose health information in response to a court or administrative order. HB Psychotherapy, PLC may also disclose health information about your child 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 tell you about the request or to obtain an order protecting the information requested.

III. CERTAIN USES AND DISCLOSURES REQUIRE YOUR AUTHORIZATION:

1. Psychotherapy Notes. Your therapist does keep “psychotherapy notes” as that term is defined in 45 CFR § 164.501, and any use or disclosure of such notes requires your Authorization *unless the use or disclosure is:*
 - a. For the therapists to use in treating you.
 - b. For the therapists 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 the therapists to use in defending themselves in legal proceedings instituted by you.
 - d. For use by the Secretary of Health and Human Services to investigate 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.
2. Marketing Purposes. As a psychotherapist, HB Psychotherapy, PLC therapists will not use or disclose your PHI for marketing purposes.

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3. Sale of PHI. As a psychotherapist, HB Psychotherapy, PLC therapists will not sell your PHI in the regular course of business.

IV. CERTAIN USES AND DISCLOSURES DO NOT REQUIRE YOUR

AUTHORIZATION. Subject to certain limitations in the law, HB Psychotherapy, PLC can use and disclose your PHI without your Authorization for the following reasons:

1. When disclosure is required by state or federal law, and the use or disclosure complies with and is limited to the relevant requirements of such law.
2. 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, including serious harm you intend to inflict upon yourself or another person or place.
3. For health oversight activities, including audits and investigations.
4. For judicial and administrative proceedings, including responding to a court or administrative order, although the preference is to obtain an Authorization from you before doing so.
5. For law enforcement purposes, including reporting crimes occurring on HB Psychotherapy, PLC premises.
6. To coroners or medical examiners, when such individuals are performing duties authorized by law.
7. For research purposes, including studying and comparing the mental health of patients who received one form of therapy versus those who received another form of therapy for the same condition.
8. 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.
9. For workers' compensation purposes. Although the preference is to obtain an Authorization from you, HB Psychotherapy, PLC may provide your PHI in order to comply with workers' compensation laws.
10. Appointment reminders and health related benefits or services. HB Psychotherapy, PLC may use and disclose your PHI to contact you to remind you that you have an appointment. HB Psychotherapy, PLC may also use and disclose your PHI to tell you about treatment alternatives, or other health care services or benefits offered.

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

1. **Disclosures to family, friends, or others:** HB Psychotherapy, PLC may provide your PHI to a family member, friend, or other person that you indicate is involved in your care or the payment for your health care, unless you object in whole or in part. The opportunity to consent may be obtained retroactively in emergency situations.

VI. YOU HAVE THE FOLLOWING RIGHTS WITH RESPECT TO YOUR PHI:

1. **The Right to Request Limits on Uses and Disclosures of Your PHI.** You have the right to ask HB Psychotherapy, PLC not to use or disclose certain PHI for treatment, payment, or health care operations purposes. HB Psychotherapy, PLC is not required to agree to your request, and may say “no” if it is believed it would affect your health care.
2. **The Right to Request Restrictions for Out-of-Pocket Expenses Paid for In Full.** You have the right to request restrictions on disclosures of your 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 you have paid for out-of-pocket in full.
3. **The Right to Choose How HB Psychotherapy, PLC Sends PHI to You.** You have the right to ask to be contacted in a specific way (for example, home or office phone) or to send mail to a different address, and HB Psychotherapy, PLC will agree to all reasonable requests.
4. **The Right to See and Get Copies of Your PHI.** Other than “psychotherapy notes,” you have the right to get an electronic or paper copy of your medical record and other information HB Psychotherapy, PLC has about you. HB Psychotherapy, PLC will provide you with a copy of your record, or a summary of it, within 30 days of receiving your written request, and may charge a reasonable, cost based fee for doing so.
5. **The Right to Get a List of the Disclosures HB Psychotherapy, PLC Have Made.** You have the right to request a list of instances in which HB Psychotherapy, PLC has disclosed your PHI for purposes other than treatment, payment, or health care operations, or for which you provided HB Psychotherapy, PLC with an Authorization. HB Psychotherapy, PLC will respond to your request for an accounting of disclosures within 60 days of receiving your request. The list will include disclosures made in the last six years unless you request a shorter time. HB Psychotherapy, PLC will provide the list to you at no charge, but if you make more than one request in the same year, HB

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Psychotherapy, PLC will charge you a reasonable cost based fee for each additional request.

6. **The Right to Correct or Update Your PHI.** If you believe that there is a mistake in your PHI, or that a piece of important information is missing from your PHI, you have the right to request that HB Psychotherapy, PLC correct the existing information or add the missing information. HB Psychotherapy, PLC may say “no” to your request and will tell you why in writing within 60 days of receiving your request.
7. **The Right to Get a Paper or Electronic Copy of this Notice.** You have the right to get a paper copy of this Notice, and you have the right to get a copy of this notice by e-mail. And, even if you have agreed to receive this Notice via e-mail, you also have the right to request a paper copy of it.

EFFECTIVE DATE OF THIS NOTICE

This notice went into effect on 9/10/2020

Acknowledgement of Receipt of Privacy Notice: Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), you have certain rights regarding the use and disclosure of your protected health information. By signing below, whether electronically or in writing, you are acknowledging that you have received a copy of HIPAA Notice of Privacy Practices.

IMPORTANT PRIOR TO SIGNING:

- You may elect to not sign this form, but doing so will render HB Psychotherapy, PLC and Hannah Bousek, LMFT unable to provide services to you.
- If you have questions, concerns, or do not understand policies expressed in this document, please contact HB Psychotherapy, PLC prior to signing this document:
 - Phone: 319-244-8004
 - Email: Hannah@hbpsychotherapy.com
 - Client Portal: www.hbpsychotherapy.com

By signing the form below, in writing or electronically, you are agreeing to having read, understood, and agreed to the conditions detailed in this document. You acknowledge having had the opportunity to clarify questions or concerns to HB Psychotherapy, PLC and received satisfactory answers.

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Client Signature

Date

Legal Guardian (if applicable)

Date