

NOTICE OF PRIVACY AND CONFIDENTIALITY. Privacy and confidentiality is a cornerstone of psychotherapy. Discussions between a therapist and client are confidential. No information will be released without the client's written consent unless mandated by law. Possible exceptions to confidentiality include but are not limited to the following situations: child abuse; abuse of the elderly or disabled; abuse of patients in mental health facilities; sexual exploitation; criminal prosecutions; child custody cases; suits in which the mental health of a party is in issue; fee disputes between the therapist and the client; a negligence suit brought by the client against the therapist; or the filing of a complaint with the state licensing board or other regulatory body. If you have any questions about confidentiality, you should bring them to my attention so that we can discuss the matter further. By signing this consent form, you are giving your consent to me to share confidential information with all persons mandated by law and with the agency that referred you and the managed care company and/or insurance carrier responsible for providing your mental health care services and payment for those services, and you are also releasing me and holding me harmless from any departure from the right of confidentiality that may result.

For all patients, I keep records describing the patient's clinical condition and treatment, but I avoid documenting potentially embarrassing personal information if I can do so in a manner consistent with medical responsibility. Psychotherapy notes will have a higher level of protection under the HIPAA (Health Insurance Portability and Accountability Act of 1996) privacy regulations that took effect in April 2003. Their contents may not be divulged without your specific authorization, which is not permitted to be required as a condition of insurance coverage. (Other exceptions to the special protection of psychotherapy notes under law are to prevent harm to the patient or others, for the therapist's defense in legal actions, regulatory actions, regulatory oversight of the therapist's professional status, confidential supervision in training situations, or investigation by a medical examiner in the event of a patient's death.)

I serve as the Privacy Official and Contact Person as required by HIPAA. I keep both paper and electronic medical records. Paper records are locked at all times when the office is closed, and any electronic files are password protected to protect your information. You have the right to view your general medical record (but not psychotherapy notes) and request amendments within a reasonable period of time. Records will be retained at least as long as required by law. If you give consent for release of medical information from your general medical record, in compliance with HIPAA, I will disclose only the minimum amount of information necessary to serve the purpose for which the request has been made. Also under HIPAA regulations, I will provide you with a notice of privacy practices. I must ask you to sign a separate consent form and acknowledgement that I have given you this notice.

Under HIPAA your consent is not required for physicians to release information for treatment, payment, or healthcare operations. However, I have the right to offer you the opportunity to withhold consent for release of any or all information, with the understanding that if you withhold consent, it may not be possible for me to communicate with your doctors or to submit insurance claims or give supporting clinical information without further action on your part to give consent. I believe that it is important for doctor-patient relationship to offer you the choice of giving or withholding consent, rather than assuming that you accede to the HIPAA regulation's automatic consent.

CONFIDENTIALITY AND THIRD PARTY PAYERS You should realize that any information given at your request to an insurance company or managed care company is thereafter beyond my control. Health insurance companies sometimes give information to the Medical Information Bureau, which may affect your future eligibility for life, disability, or other insurance. Some employers obtain identifiable data from administrators of their health insurance. Medicare and other insurance plans have the right to inspect the medical records of subscribers who file claims. In my experience, such events are rare, and I would resist them to the greatest extent legally possible, but it is important that you know that this can happen if you choose to file claims for insurance. Other breaches of privacy could occur in extreme situations that are beyond my control, are required by law, or are essential to prevent imminent, serious harm.

Client Signature:

Date:-
