

HIPAA PRIVACY PRACTICES NOTICE FOR PATHWAYS COUNSELING

Introduction

This document contains summary information about the Health Insurance Portability and Accountability Act (HIPAA), a federal law that provides privacy protections and client rights with regard to the use and disclosure of a client's Protected Health Information (PHI), used for the purpose of treatment, payment and health care. The Federal Law requires that Pathways Counseling, P.C. notifies clients of this policy. Please review it carefully.

Protected Health Information (PHI)

Protected Health Information (PHI) is any information about a client's past, present, or future physical or mental health conditions or treatment, or any other information that could identify a client. PHI includes any information – oral, recorded, written or sent electronically – about a client's physical or mental health, services rendered, or payment for those services, including all personal information connecting the client to their records.

Uses and Disclosures for Treatment, Payment, and Health Care Operations

The HIPAA law allows for the following disclosures of a client's PHI to an outside entity for the following purposes:

1. **Treatment:** Providing, coordinating, or managing a client's health care and other services related to your health care. An example would be when a client's therapist consults with another health care provider, such as your family physician.
2. **Payment:** Obtaining reimbursement for a client's healthcare. With your written consent, Pathways Counseling will disclose your PHI to your health insurer to obtain prior authorization, payment for mental health care, or to determine insurance eligibility or coverage.
3. **Health Care Operations:** Activities that relate to the performance and operation of our practice. Examples are licensing and credentialing activities, administrative services, and clinical peer review.

Uses and Disclosures Requiring Authorization

Outside of routine treatment, payment, and health care operations, Pathways Counseling staff will not release client PHI unless a client signs a Release of Information Form authorizing that specific disclosure.

Uses and Disclosures with Neither Consent nor Authorization

Pathways Counseling staff may use or disclose PHI without a client's consent or authorization in the following circumstances:

1. **Emergency situations:** If a therapist has reasonable cause to believe a child is being abused or neglected, serious harm is befalling a vulnerable/elderly adult, or if it is determined there is imminent risk of suicide or homicide, sufficient information may be shared to the proper authorities to address these emergencies.
2. **Locating Responsible Parties:** Your PHI may be disclosed in order to notify, identify, or locate a family member, your personal representative or other person that is responsible for your care. We will use our professional judgment to make a reasonable determination if you are available and capable of giving consent or objecting to the extent or recipients of this

disclosure. If we determine that you are unable to provide such consent, we will limit the PHI disclosed to the minimum necessary.

3. **Health Oversight:** If a health oversight agency subpoenas a client's therapist as part of its investigations, hearings, or proceedings relating to the discipline, issuance, or denial of licensure, therapists must comply. Therapists are also required to comply with the U.S. Department of Health and Human Services to ensure adherence with federal healthcare laws. This disclosure could include a client's relevant mental health information.
4. **Judicial or Administrative Proceedings:** Therapists are required to comply with a court order, court ordered warrants, subpoenas or summons issued by a judicial officer, and grand jury subpoenas. In these cases, disclosures may be limited.
5. **Military Command:** Certain PHI of Armed Forces personnel may be disclosed under special circumstances.
6. **Criminal activity:** If a crime is committed on our premises, we may share information with law enforcement to apprehend the criminal. Additionally, therapists are required to cooperate with authorized counter-intelligence and national security activities.
7. **Death:** After your death, we may disclose information to a coroner, medical examiner, funeral director, or organ procurement organization in limited circumstances to help them carry out their authorized duties.