

# Family Counseling Center

## 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.**

The Family Counseling Center, (FCC), is required by law to maintain the privacy and security of your protected health information (PHI) and to provide you with this Notice of Privacy Practices (“Notice”). FCC must abide by the terms of this notice, and FCC must notify you if a breach of your unsecured PHI occurs. FCC can change the terms of this Notice, and such changes will apply to all information FCC has about you. The new Notice will be available upon request, and in our office.

Except for the specific purposes set forth below, FCC will use and disclose your PHI only with your written authorization (“Authorization”). It is your right to revoke such Authorization at any time by giving FCC written notice of your revocation.

**Uses (Inside Practice) and Disclosures (Outside Practice) Relating to treatment, Payment, or Health Care Operations That Do Not Require Your Written Consent.** FCC can use and disclose your PHI without your Authorization for the following Reasons:

1. **For your treatment.** FCC can use and disclose your PHI to treat you, which may include disclosing your PHI to another health care professional. For example, if you are being treated by a physician or a psychiatrist, FCC can disclose your PHI to him or her to help coordinate your care, although our preference is for you to give FCC an Authorization to do so.
2. **To obtain payment for your treatment.** FCC can use and disclose your PHI to bill and collect payment for the treatment and services provided by FCC to you. For example, FCC might send your PHI to your insurance company to get paid for the health care services that we have provided to you, although our preference is for you to give us an Authorization to do so.
3. **For health care operations.** FCC can use and disclose your PHI for purposes of conducting health care operations pertaining to this practice, including contacting you when necessary. For example, FCC may need to disclose your PHI to an attorney to obtain advice about complying with applicable laws.

### **Certain Uses and Disclosures that Require Your Authorization.**

1. **Psychotherapy Notes.** FCC keeps “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 use in treating you.
  - b. For use in training or supervising other mental health practitioners to help them improve their skills in group, joint, family, or individual counseling or therapy.
  - c. For use in defense in legal proceedings instituted by you.
  - d. For use by the Secretary of Health and Human Services to investigate FCC’s 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.** FCC will not use or disclose your PHI for marketing purposes. FCC does maintain a mailing list for marketing purposes. We make every effort not to include clients on this list. If you receive marketing information from FCC and want to remove yourself from our list, please let us know.
3. **Sale of PHI.** FCC will not sell your PHI in the regular course of business.

**Certain Uses and Disclosures do Not Require Your Authorization.** Subject to certain limitations in the law, FCC 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.
3. For health oversight activities, including audits and investigations.
4. For judicial and administrative proceedings, including responding to a court or administrative order, although our preference is to obtain an Authorization from you before doing so.
5. For law enforcement purposes, including reporting crimes occurring on FCC 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 our preference is to obtain an Authorization from you, FCC may provide your PHI in order to comply with workers' compensation laws.
10. Appointment reminders and health related benefits or services. FCC may use and disclose your PHI to contact you to remind you that you have an appointment. FCC may also use and disclose your PHI to tell you about treatment alternatives, or other health care services or benefits.

## **YOUR RIGHTS REGARDING YOUR PHI**

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 us not to use or disclose certain PHI for treatment, payment, or health care operations purposes. FCC is not required to agree to your request, and we may say "no" if we believe 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 We Send PHI to You.** You have the right to ask FCC to contact you in a specific way (for example, home or office phone) or to send mail to a different address, and FCC 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 that we have about you.  
FCC will provide you with a copy of your record, or a summary of it, if you agree to receive a summary, within 30 days of receiving your written request, and FCC may charge a reasonable, cost based fee for doing so.

**5. The Right to Get a List of the Disclosures We Have Made.**

You have the right to request a list of instances in which we have disclosed your PHI for purposes other than treatment, payment, or health care operations, or for which you provided us with an Authorization.

We will respond to your request for an accounting of disclosures within 60 days of receiving your request. The list we will give you will include disclosures made in the last six years unless you request a shorter time. We will provide the list to you at no charge, but if you make more than one request in the same year, we 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 we correct the existing information or add the missing information. We may say “no” to your request, but we 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.

## **HOW TO COMPLAIN ABOUT OUR PRIVACY PRACTICES**

If you think FCC may have violated your privacy rights, you may file a complaint with me, as the Privacy Officer for this practice, and the address and phone number are: Hillary Lindauer, Director, Family Counseling Center, 1347 Grant St., Red Bluff, CA 96080.

You can also file a complaint with the U.S. Department of Health and Human Services office for Civil Rights by:

1. Sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201;
2. Calling 1-877-696-6775; or,
3. Visiting [www.hhs.gov/ocr/foia/hipaa/complaints](http://www.hhs.gov/ocr/foia/hipaa/complaints).

FCC will not retaliate against you if you file a complaint about our privacy practices.

## **EFFECTIVE DATE OF THIS NOTICE**

This notice went into effect on September 20, 2013.