

Nedra Koenig, M.A.
Licensed Marriage & Family Therapist

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.

Notice of Privacy Practices

Privacy is a very important concern for all those who come to this office. It is also complicated because of the many federal and state laws and our professional ethics code. Because the rules are so complicated, some parts of this Notice are very detailed and you may need to read them several times to understand them. If you have any questions, I will be happy to help you understand the procedures and your rights.

A. Introduction – to the Client

This notice will tell you how I handle your medical information. It tells how I use this information, how I share it with other professionals and organizations, and how you can see it. I want you to know all of this so that you can make the best decisions for yourself and your family. Because of the laws of this state and the federal government are very complicated, I don't want to make you read a lot that may not apply to you. I have removed a few small parts. If you have any questions or want to know more about anything in this Notice, please ask me for more explanations or more details.

B. What is meant by your medical information

Each time you visit me information is collected about you and your physical and mental health. It may be information about your past, present, or future health or conditions, or the tests and treatment you got from me or from others, or about payment for healthcare. The information I collect from you is called in the law PHI, which stands for **Protected Health Information**. This information goes into your **medical or healthcare record** on file at this office.

In my office this PHI is likely to include these kinds of information:

- Your history - as a child, in school, at work, marriage, and/or personal history
- Reasons you came for treatment - the problem, complaints, symptoms, or needs
- Diagnoses - Diagnoses are the medical terms for your problems or symptoms
- A treatment plan - a list of the treatments and any other services which I think will be best to help you
- Progress notes - each time you come in I write down some things about how you are doing, what I notice about you, and what you tell me
- Records I get from others who treated you or evaluated you
- Psychological test scores, school records, and other reports
- Information about medications you took or are taking
- Legal matters
- Billing and insurance information

This list is just to give you an idea. There may be other kinds of information that goes into your healthcare record.

I use this information for many purposes. For example, I may use it:

- To plan your care and treatment
- To decide how well the treatments are working for you
- When I talk with other healthcare professionals who are also treating you such as your family doctor or the professional who referred you to me
- To show that you actually received the services from me which I billed to you or to your health insurance company

When you understand what is in your record and what it is used for, you can make better decisions about whom, when, and why others should have this information.

Although your health record is the physical property of the healthcare practitioner or facility that collected it, the information belongs to you. You can read it. If you find anything in your record that you think is incorrect and/or believe that something important is missing, you can ask me to amend (add information to) your record although in some rare situations, I won't have to agree to do that.

C. Privacy and the laws

I am also required to tell you about privacy because of the privacy regulation of a federal law, the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The HIPAA law requires me to keep your Personal Healthcare Information (PHI) private and to give you this notice of my legal duties and my privacy practices which is called the **Notice of Privacy Practices (NPP)**. I will obey the rules of this notice as long as it is in effect. If I change it the rules of the new NPP will apply to the entire PHI I keep. If I change the NPP, I will post the new Notice in my office where everyone can see it.

D. How your protected health information can be used and shared

When your information is read by me that is called, in the law, "use." If the information is shared with or sent to others outside this office, that is called, in the law, "disclosure." Except in some special circumstances, when I use your PHI here or disclose it to others, I share only the **minimum necessary** PHI needed for those other people to do their jobs.

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The law gives you rights to know about your PHI, how it is used, and to have a say in how it is disclosed (shared). I will tell you more about what I do with your information.

I use and disclose PHI for several reasons. Mainly, I will use and disclose it for routine purposes and I will explain more about these below. For other uses I must tell you about them and have a written Authorization from you unless the law lets or requires me to make the disclosure without your authorization. However, the law also says that there are some uses and disclosures that don't need your consent or authorization.

1. Uses and disclosures of PHI in healthcare with your consent

After you have read this Notice, you will be asked to sign a separate **Consent form** to allow me to use and share your PHI. In almost all cases, I intend to use your PHI or share your PHI with other people or organizations to provide **treatment** to you, arrange for **payment** of services, or some other business functions called health care **operations**. Together these routine purposes are TPO and the Consent form allows me to use and disclose your PHI for TPO. Take a minute to reread that last sentence until it is clear because it is very important. Next I will tell you more about TPO.

1a. For treatment, payment, or health care operations

I need information about you and your condition to provide care to you. You have to agree to let me collect the information and to use it and share it to care for you properly. Therefore you must sign the Consent form before I begin to treat you because if you do not agree and consent, I cannot treat you. When you come to see me, I collect information about you and all of it may go into your healthcare records. Generally, I may use or disclose your PHI for three purposes: treatment, obtaining payment, and what are called healthcare operations. Let's see what these mean.

For treatment

I use your medical information to provide you with psychological treatment or services. These might include individual, family, group therapy, psychological, education, or vocation testing, treatment planning, or measuring the benefits of my services.

I may share or disclose your PHI to others who provide treatment to you. I may share your information with your personal physician. I may refer you to other professionals or consultants for services I cannot provide. When I do this, I need to tell them some things about you and your conditions. I will get back their findings and opinions and those will go into your records. If you receive treatments in the future from other professionals I can also share your PHI with them. These are some examples so that you can see how I use and disclose your PHI for treatment.

For payment

I may use your information to bill you, your insurance, or others so I can be paid for the treatments I provide to you. I may contact your insurance company to check on exactly what your insurance covers. I may have to tell them about your diagnoses, what treatments you have received, and the changes I expect in your condition. I will need to tell them about when we met, your progress, and other similar things.

For health care operations

There are a few other ways I may use or disclose your PHI for what are called health care operations. For example, I may use your PHI to see where I can make improvements in the care and services I provide. I may be required to supply some information to some government health agencies so they can study disorders and treatment and make plans for service that are needed. If I do, your name and personal information will be removed from what I send.

1b. Other uses in healthcare

Appointment Reminders: I may use and disclose medical information to reschedule or remind you of appointments for treatment or other care. If you want me to call or write to you only at your home or your work or prefer some other way to reach you, I usually can arrange that. Please tell me your preference.

Treatment Alternatives: I may use and disclose your PHI to tell you about or recommend possible treatments or alternatives that may be of help to you.

Other Benefits and Services: I may use and disclose your PHI to tell you about health related benefits or services that may be of interest to you.

2. Uses and disclosures that require your Authorization

If I want to use your information for any purposes besides the TPO or those we described above, I need your permission on an Authorization form. I don't expect to need this very often. If you do authorize me to use or disclose your PHI, you can revoke (cancel) that permission, in writing, at any time. After that time we will not use or disclose your information for the purposes that we agreed to. Of course, we cannot take back any information we had already disclosed with your permission or that we had used in our office.

3. Uses and disclosures of PHI from mental health records that don't require a Consent or Authorization

The laws let me use and disclose some of your PHI without your consent or authorization in some cases. Here are some examples of when I might have to share your information.

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When required by law

There are some federal, state, or local laws which require me to disclose PHI.

- I have to report suspected child abuse.
- If you are involved in a lawsuit or legal proceeding and I receive a subpoena, discovery request, or other lawful process, I may have to release some of your PHI. I will only do so after trying to tell you about the request, consulting your lawyer, or trying to get a court order to protect the information requested.
- I have to disclose some information to the government agencies which check on me to see that I am obeying the privacy laws.

To Prevent a Serious Threat to Health or Safety – Duty to Warn

If I come to believe that there is a serious threat to your health or safety or that of another person or the public I can disclose some of your PHI. I will only do this to persons who can prevent the danger.

4. Uses and disclosures where you have an opportunity to object

I can share some information about you with your family or close others. I will only share information with those involved in your care and anyone else you choose such as close friends or clergy. I will ask you about who you want me to tell what information about your condition or treatment. You can tell me what you want and I will honor your wishes as long as it is not against the law.

5. An accounting of disclosures

When I disclose your PHI, I may keep some records to whom I sent it, when I sent it, and what I sent. You can get an accounting of these disclosures.

E. If you have any questions or problems

If you need more information or have questions about the privacy practices described above please speak to me. If you have a problem with how your PHI has been handled or if you believe your privacy rights have been violated, please talk with me. You have the right to file a complaint with me and with the Secretary of the Federal Department of Health and Human Services. I promise that I will not in any way limit your care here or take any actions against you if you complain.

The effective date of this notice is April 14, 2003.

Revised: January 10, 2014

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