

# Psychological Services of Central Illinois, P.C.

## Notice of Privacy Practices

Effective 4/14/2003

Revised 8/6/2018

THIS NOTICE DESCRIBES HOW PSYCHOLOGICAL AND MEDICAL INFORMATION ABOUT YOU MAY BE USE AND DISCLOSED, AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW CAREFULLY AND RETAIN FOR YOUR RECORDS.

### I. Uses and Disclosures for Treatment, Payment and Health Care Operations

We may use or disclose your protected health information (PHI) for treatment, payment and healthcare operations purposes with your written authorization. To help clarify, here are some definitions:

1. **PHI** – This refers to information in your health care record that could identify you.
2. **Treatment, Payment and Health Care Operations:**
  - a. **Treatment** is when we provide, coordinate or manage your health care and other services related to your health care. An example of treatment would be when we consult with another health care provider, such as your family physician or another psychologist.
  - b. **Payment** is when we obtain reimbursement for your healthcare. Examples of payment are when we disclose your PHI to your health insurer to obtain reimbursement for your health care or to determine eligibility or coverage.
  - c. **Health Care Operations** are activities that relate to the performance and operation of our practice. Examples of health care operations are quality assessment and improvement activities, business-related matters such as audits and administrative services, and case management and care coordination.
3. **Use** – This applies only to activities within our practice group, such as sharing, employing, applying, utilizing, examining and analyzing information that identifies you.
4. **Disclosure** – This applies to activities outside of our practice group, such as releasing, transferring, or providing access to information about you to other parties.
5. **Authorization** – is your written permission to disclose confidential mental health information. All authorizations to disclose must be on a specific legally required form.

### II. Other Uses and Disclosures Requiring Authorization

We may use or disclose PHI for purposes outside of treatment, payment, or health care operations when your appropriate authorization is obtained. In those instances when we are asked for information for purposes outside of treatment, payment or health care operations, we will obtain an authorization from you before releasing this information. We would also need to obtain an authorization before releasing your Psychotherapy Notes. "Psychotherapy Notes" are notes that have been made about a conversation during a private, group, joint or family counseling session, which we have kept separate from the rest of your record. These notes are given a greater degree of protection than PHI.

We will also obtain an authorization from you before using or disclosing your PHI in a way not described in this notice.

You may revoke all such authorizations (of PHI or Psychotherapy Notes) at any time, provided that each revocation is made in writing. You may not revoke an authorization to the extent that (1) we have relied on that authorization; or (2) if the authorization was obtained as a condition of obtaining insurance coverage.

### III. Use and Disclosure without Authorization

We may use or disclose PHI without your consent or authorization in the following circumstances:

1. **Child Abuse** – If we have reasonable cause to believe a child known to us in our professional capacity may be an abused child or a neglected child, we must report this belief to the appropriate authorities.
2. **Adult and Domestic Abuse** – If we have reason to believe that an individual (who is protected by state law) has been abused, neglected or financially exploited, we must report this belief to the appropriate authorities.
3. **Health Oversight Activities** – We may disclose protected health information regarding you to a health oversight agency for oversight activities authorized by law, including licensure or disciplinary actions.
4. **Judicial and Administrative Proceedings** – If you are involved in a court proceeding and a request is made for information by any party about your evaluation, diagnosis and treatment and the records thereof, such information is privileged under state law, and we must not release such information without a court order. We can release the information directly to you on your request. Information about all other psychological services is also privileged and cannot be released without your authorization or a court order. The privilege does not apply when you are being evaluated for a third party or where the evaluation is court ordered. You must be informed in advance if this is the case.
5. **Serious Threat to Health or Safety** – If you communicate to us a specific threat of harm against another individual or if we believe that there is clear, imminent risk of physical or mental injury being inflicted against another individual, we may make disclosures that we

believe are necessary to protect that individual from harm. If we believe that you present an imminent, serious risk of physical or mental injury or death to yourself, we may make disclosures that we consider necessary to protect you from harm.

6. **Worker's Compensation** – We may disclose protected health information regarding you as authorized by and to the extent necessary to comply with laws relating to worker's compensation or other similar programs established by law, that provide benefits for work-related injuries or illness without regard to fault.
7. **As Permitted Under the Privacy Rule** – Use and disclosure without your consent or authorization is allowed under other sections of Section 164.512 of the Privacy Rule and the state's confidentiality law. This includes certain narrowly-defined disclosures to law enforcement agencies, to a health oversight agency (such as HHS or a state department of health), to a coroner or medical examiner, for public health purposes relating to disease of FDA-regulated products, or for specialized government functions, such as fitness for military duties, eligibility for VA benefits, and national security and intelligence.

## IV. Patient's Rights and Psychologist's Duties

### Patient's Rights:

1. **Right to Request Restrictions** – You have the right to request restrictions on certain uses and disclosures of protected health information. However, we are not required to agree to a restriction you request.
2. **Right to Receive Confidential Communications by Alternative Means and at Alternative Locations** – You have the right to request and receive confidential communications of PHI by alternative means and at alternative locations. (For example, at your request, we will send you bill to another address.)
3. **Right to Inspect and Copy** – You have the right to inspect or obtain a copy (or both) of PHI in our mental health and billing records used to make decisions about you for as long as the PHI is maintained in the record and Psychotherapy Notes. At your request, we will explain the process necessary for you to obtain access to these records.
4. **Right to Amend** – You have the right to request an amendment of PHI for as long as the PHI is maintained in the record. We may deny your request. At your request we will discuss the details of the amendment process.
5. **Right to an Accounting** – You generally have the right to receive an accounting of disclosures of PHI. On your request, we will discuss with you the details of the accounting process.
6. **Right to a Paper Copy** – You have the right to obtain a paper copy of the notice from us upon request, even if you have agreed to receive the notice electronically.
7. **Right to Restrict Disclosures When You Have Paid for Your Care Out-Of-Pocket** – You have the right to restrict certain disclosures of PHI to a health plan when you pay out-of-pocket in full for our services.
8. **Right to Be Notified if There is a Breach of Your Unsecured PHI** – You have a right to be notified if:
  - a. There is a breach (a use or disclosure of your PHI in violation of the HIPAA privacy rule) involving your PHI.
  - b. That PHI has not been encrypted to government standards.
  - c. Our risk assessment fails to determine that there is a low probability that your PHI has been compromised.

### Psychologist's Duties:

We are required by law to maintain the privacy of your PHI and to provide you with a notice of legal duties and privacy practices with respect to PHI.

We reserve the right to change the privacy policies and procedures described in this notice. Unless we notify you of such changes, however, we are required to abide by the terms currently in effect. Any changes will apply to medical information we already hold, as well as new information after the change occurs.

If we revise our policies and procedures, we will offer you a revised notice at your next appointment or upon your request, and we will post a summary of changes for viewing.

## V. Complaints

If you are concerned that we have violated your privacy rights, or if you disagree with a decision we made about access to your records, you may contact Dr. Joanne Moussette at 217-546-3118.

You may also send a written complaint to: Secretary, U.S. Department of Health and Human Services, 200 Independence Avenue, SW, Washington, DC 20201