

KJ Hurt, LPC

NOTICE OF CONFIDENTIALITY/PRIVACY

KJ Hurt, LPC (#65565) respects the confidentiality of personal information and understands the importance of keeping this information confidential and secure. This Notice describes how she protects the confidentiality of the personal information she receives. Her practices apply to current and former clients.

This notice describes how protected health information about you may be used and disclosed and how you can get access to this information. Please review it carefully.

Understanding Your Health Record/Information

Each time you visit a hospital, physician, or other health care provider, a record of your visit is made. Typically, this record contains your symptoms, examination and test results, diagnosis, treatment, and a plan for future care or treatment. This information, often referred to as your “protected health information” (PHI), frequently serves as a:

- Basis for planning your care and treatment
- Means of communication among the many health professionals who contribute to your care
- Legal document describing the care you received
- Means by which you or a third-party payer can verify that services billed were actually provided
- A tool in educating health professionals
- A source of data for medical research
- A source of information for public health officials charged with improving the health of the nation
- A source of data for facilitation, planning and marketing
- A tool with which we can assess and continually work to improve the care we render and the outcomes we achieve

Understanding what is in your record and how your health information is used helps you to:

- Ensure its accuracy
- Better understand who, what, when, where, and why others may access your health information
- Make more informed decisions when authorizing disclosure to others

Your Health Information Rights

Although your mental health record is the physical property of KJ Hurt, the facility/counselor that compiled it, the information, with the exception of raw psychological test data, belongs to you.

- You may request restrictions on how your information will be used and disclosed for treatment, payment, and health care operations: KJ Hurt is not required to agree to the proposed restrictions.
- KJ Hurt must permit and accommodate reasonable requests for you to receive communications by alternative means or at an alternative location.
- You have a right to inspect and obtain a copy of your mental health record with very limited exceptions (as provided for in 45 CFR 164.524) by submitting a written request to KJ Hurt, LPC. Access or denial will be provided within 30 days.
- You may also request to have the information amended (as provided in 45 CFR 164.528). KJ Hurt may deny the request if the information is complete and accurate or was created by another entity.

- Upon request, KJ Hurt must provide you a written accounting of all non-routine disclosures made without your consent for up to six years. The first list you request within a 12-month period will be free. Additional lists, we may charge you \$.25 per page.
- You may revoke your authorization to KJ Hurt to use or disclose personal health information except to the extent that action has already been taken.

Confidentiality of Alcohol and Drug Abuse Client Records

The confidentiality of alcohol and drug abuse client records maintained by KJ Hurt, LPC is protected by federal law and regulations (42 CFR, Part 2). Generally, KJ Hurt may not say to a person outside the program that a client attends the program, or disclose any information identifying a client as an alcohol or drug abuser unless one of the following conditions is met:

- The disclosure is allowed by a court order
- The disclosure is made to medical personnel in a medical emergency or to qualified personnel for research (with your informed and signed consent), audit or program evaluation
- Violation of the federal law and regulations by a program is a crime. Suspected violations may be reported to appropriate authorities in accordance with federal regulations.

Federal law and regulations do not protect any information about a crime committed by a client at KJ Hurt's practice or any person who threatens to commit a crime.

Federal law and regulations do not protect any information about suspected child/elder abuse or neglect from being reported under State law to appropriate State or local authorities.

KJ Hurt's Responsibilities

KJ Hurt is required to:

- Maintain the privacy of your protected health information
- Provide you with a written notice of: the uses and disclosures of protected health information, your rights, and KJ Hurt's legal duties related to PHI
- Ensure that the notice is provided on the first date of service delivery and is posted at the service site
- Maintain copies of notices and comply with requirements relating to revisions
- Except in emergencies, KJ Hurt, LPC must obtain written acknowledgement of receipt or document good faith effort and the reason acknowledgement was not obtained
- Abide by the terms of this notice
- Notify you if we are unable to agree to a requested restriction
- Accommodate reasonable requests you may have to communicate protected health information by alternative means or at alternative locations

We reserve the right to change our practices and to make the new provisions effective for all protected health information we maintain. Should our information practices change, we will mail a revised notice to the address you have supplied to us.

We will not disclose your protected health information without your authorization, except as described in this notice.

Examples of Disclosures for Treatment, Payment, and Health Operations

We will use or disclose your protected health information for payment.

For example: A bill may be sent to you or a third-party payer. The information on or accompanying the bill may include information that identifies you, as well as your diagnosis, procedures, and supplies used.

We will use or disclose your protected health information when required or otherwise permitted by law in so far as the use or disclosure complies with and is limited to the relevant requirements of such law.

For example: KJ Hurt is required to report child abuse and neglect, elder abuse, abuse to disabled persons, and/or abuse by a therapist to the authorities.

Other Permitted or Required Uses and Disclosures

Communication with Family: Mental health professionals, using their best judgment, may disclose to a family member, other relative, close personal friend or any other person you identify, protected health information related to that person's involvement in your care or payment related to your care.

Marketing: We may contact you to provide information about guest speaker meetings or information about treatment activities or other mental health-related benefits and services that may be of interest to you. Any written marketing communication must be sent in an envelope showing only the address of the sender and must include KJ Hurt's phone number. If you choose not to receive further communications, KJ Hurt must remove your name from the distribution list within five days.

Workers Compensation: We may disclose protected health information to the extent authorized by, and to the extent necessary, to comply with laws relating to workers compensation or other similar programs established by law.

Law Enforcement: We may disclose your protected health information under a special court order meeting the specific requirements of 42 CFR (Part2). A subpoena or routine court order is not sufficient for alcohol and drug abuse clients.

Reporting a Crime: No authorization is required to report a crime (or threat of crime) on the premises of KJ Hurt's practice or against anyone within KJ Hurt's practice. Information is limited to circumstances, name and address, and last known whereabouts.

Public Health: Information may be disclosed to report cause of death as required by law; report child abuse and neglect as required by law; and to medical personnel of the FDA who assert reason to believe the health of an individual may be threatened by error in manufacture, labeling, or sale of product, and that information will be used exclusively for notifying clients and physicians of potential dangers. These disclosures must be made in such a way that the individual is not identified as a substance abuse client.

Regulatory Activities: Federal law makes provision for your protected health information to be released to an appropriate health oversight agency, public health authority or attorney, provided that a work force member or business associate believes in good faith that we have engaged in unlawful conduct or have otherwise violated professional or clinical standards and are potentially endangering one or more clients, workers, or the public.

For More Information or to Report a Problem

If you have questions and would like additional information, you may contact KJ Hurt, LPC (#65565), at 214-802-3168.

If you believe that your privacy rights have been violated, you can file a written complaint to the Texas State Board of Examiners of Professional Counselors at 1100 West 49th Street, Austin, Texas 78756-3183 or call the LPC Board office at 1-800-942-5540.