



H.I.P.P.A. Notice

On August 8th, 1996, the US Congress passed Public Law 104-191, commonly known as the Health Insurance Portability and Accountability Act (HIPAA). The purpose of HIPAA is to:

1) promote the use of standards in healthcare for administrative and financial transactions, and 2) provide for the confidentiality and security of protected health information.

- As a client, you have the right to see your counseling/therapy file. *Psychotherapy notes are afforded special privacy protection under the HIPAA regulations and are excluded from this right.*
- As a client, you have the right to receive a copy of your counseling/therapy file. *Psychotherapy notes are afforded special privacy protection under the HIPAA regulations and are excluded from this right.*
- As a client, you have the right to request amendments to your counseling/therapy file.
- As a client, you have the right to receive a history of all disclosures of protected health information.



- As a client, you have the right to restrict the use and disclosure of your protected health information for the purposes of treatment, payment, and operations. If you choose to release any protected health information, you will be required to sign a **Release of Confidential Information** form detailing exactly what information you wish to disclose.
- As a client you have the right to register a complaint with the Secretary of Health and Human Services if you feel your rights, herein explained, have been violated.

As you will note in Item #1 and #2, psychotherapy notes are afforded special protection under the HIPAA regulations. Because of this, we will no longer release psychotherapy notes. In lieu of psychotherapy notes, we will be happy to provide you with the following information which HIPAA allows to be released (HIPAA calls the following data a “designated record set”):

Psychotherapy start & stop times	Results of any clinical testing
Treatment Plans	Symptoms
Prognosis	Medication prescription & monitoring
Modalities & frequencies of treatment	Diagnosis
Functional status	Progress to Date



Use or disclosure of the following protected health information does not require your consent or authorization:

1. Uses and disclosures required by law – *like files subpoenaed by a Judge*
2. Uses and disclosures about victims of abuse, neglect, or domestic violence – *like the duties to warn explained in your therapist's/counselor's Disclosure Statement*
3. Uses and disclosures for health and oversight activities – *like correcting records or correcting records already disclosed*
4. Uses and disclosures for judicial and administrative proceedings – *like a case where you are claiming malpractice or breach of ethics*
5. Uses and disclosures for law enforcement purposes – *like when you claim mental health issues as a defense in a civil or criminal case*
6. Uses and disclosures for research purposes – *like using client information in research; always maintaining confidentiality*
7. Uses and disclosures to avert a serious threat to health or safety – *like calling Probate Court for a commitment hearing*



8. Uses and disclosures for Worker's Compensation – *like the basic information obtained in therapy/counseling as a result of your Worker's Compensation claim*

If you have any questions about these guidelines, please ask me.

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