



Heart to Heart
WY

NOTICE OF POLICIES & PRACTICES

THIS NOTICE DESCRIBES HOW PSYCHOLOGICAL AND MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

INTRODUCTION: This notice describes how Heart to Heart – WY handles information about you—how we use this information here in the office, how we might share it with other professionals and organizations, and how you can have access to it. It is important for you to understand these policies so that you can make the best decisions for you and your family about your personal health information. Heart to Heart – WY therapists are also required to tell you about this because of the privacy regulations of a federal law, the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Each time you visit any health care provider, information is collected about your physical and mental health. The information is called, according to HIPAA, Protected Health Information (PHI). This information goes into your healthcare record in my office. This information is likely to include the following:

- Your past history: childhood, school, work and marital history
- The reason you sought treatment
- Your diagnosis (a medical term for your symptoms or problems)
- Progress notes: Each time you come in I write down some information about how you are doing and what you tell us.
- Records from others who treated or evaluated you
- Information about any medications you are taking
- Legal matters
- Insurance and billing information

Heart to Heart uses this information to plan your treatment, to evaluate how effective the treatment is, or to communicate with other professionals who are also working with you. Privacy is a very important concern for everyone who participates with Heart to Heart – WY programs or talk therapy. We will take the utmost care to protect your privacy and the privacy of your records. Because the HIPAA rules are so complicated and some parts of this notice are extremely detailed, please ask us if there is anything that you think needs more explanation.

USES OF DISCLOSURES FOR TREATMENT, PAYMENT, AND HEALTH CARE OPERATIONS: Heart to Heart - WY may use or disclose your protected health information (PHI), for treatment, payment, and health care operations purposes with your consent. To help clarify these terms, here are some definitions:

- “PHI” refers to information in your health record that could identify you. •
- “Treatment, Payment and Health Care Operations” (TPO)
 - Treatment is when Heart to Heart - WY provides, coordinate or manage your health care and other services related to your health care. An example of treatment would be when one of Heart to Heart – WY therapists consult with another health care provider, such as your family physician or another therapist.
 - Payment is when Heart to Heart – WY obtains reimbursement for your healthcare. Heart to Heart - WY may disclose your PHI to your health insurer to obtain reimbursement for your health care or to determine eligibility or coverage.
 - Health Care Operations are activities that relate to the performance and operation of my 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.
- “Use” applies only to activities Heart to Heart – WY office or program locations such as sharing, employing, applying, utilizing, examining, and analyzing information that identifies you.
- “Disclosure” applies to activities outside of Heart to Heart – WY’s office such as releasing, transferring, or providing access to information about you to others.

USES OF DISCLOSURE REQUIRING AUTHORIZATION: Heart to Heart - WY may use or disclose PHI for other purposes than treatment, payment, or health care operations(TPO) when your appropriate authorization is obtained. An “authorization” is written permission above and beyond the general consent that allows me only specific disclosures. When we asked for information for purposes outside of TPO, we will get an authorization from you before sending this information. Heart to Heart – WY will also need to obtain an authorization before releasing your Psychotherapy Notes. “Psychotherapy Notes” are notes Heart to Heart - WY have made about our conversation during a program, private, group, joint, or family counseling session, and are kept separate from the rest of your medical record. These notes are given more protection than PHI.

You may revoke all authorizations (of PHI or Psychotherapy Notes) at any time, as long as it is in writing. You may not revoke an authorization to the extent that (1) Heart to Heart has relied on that 3 of 5 authorization or (2) if the authorization was obtained as a condition of obtaining insurance coverage.

It is Heart to Heart – WY policy that, except when we send information to your insurance company, we will have you sign a specific authorization form before I release any of your Protected Health Information. This is true even when using the information for the purposes of Treatment, Payment, or Healthcare operations described above. In all cases when information about you is released, we will disclose only the minimum amount of information necessary to address the purpose of the request.

USES AND DISCLOSURES NOT REQUIRING CONSENT OR AUTHORIZATION: Heart to Heart – WY may use or disclose PHI without your consent or authorization in the following situations:

- *Child Abuse* – If we have reasonable cause to suspect or believe that any child under the age of eighteen years (1) has been abused or neglected, (2) has had non-accidental physical injury, or injury which isn't consistent with the history given of the injury, or (3) is placed at imminent risk of serious harm, then Heart to Heart – WY is required by law to report this suspicion or belief to the appropriate authority.
- *Adult and Domestic Abuse* – If Heart to Heart – WY knows or in good faith suspect that an elderly individual or an individual, who is disabled or incompetent, has been abused, we may disclose the appropriate information as permitted by law.
- *Health Oversight Activities* – If a professional oversight organization is investigating Heart to Heart - WY, they may subpoena records relevant to such investigation.
- *Judicial and Administrative Proceedings* – If you are involved in a court proceeding and a request is made for information about your diagnosis and treatment and the records, this information is privileged under state law, and Heart to Heart – WY will not release information without the written authorization of you or your legally appointed representative 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 will be informed in advance if this is the case.
- *Serious Threat to Health or Safety* – If Heart to Heart – WY believes in good faith that there is risk of imminent personal injury to you or to other individuals or risk of imminent injury to the property of other individuals, Heart to Heart - WY may disclose the appropriate information as permitted by law.
- *Worker's Compensation* – Heart to Heart – WY may disclose protected health information regarding you as authorized by and to the extent necessary to comply with laws relating to worker's 4 of 5 compensation or other similar programs, established by law, that provide benefits for work related injuries or illness without regard to fault.

CLIENT'S RIGHTS AND THERAPIST'S DUTIES:

Client's Rights:

- *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.
- *Right to Receive Confidential Communications by Alternative Means and at Alternative Location* – You have the right to request and receive confidential communications of PHI by alternative means and at alternative locations. (For example, you may not want a family member to know that you are seeing me. On your request, we will send your bills to another address.)

- *Right to Inspect and Copy* – You have the right to inspect or obtain a copy (or both) of PHI in Heart to Heart - WY mental health and billing records used to make decisions about you for as long as the PHI is maintained in the record. Heart to Heart – WY may deny your access to PHI under certain circumstances, but in some cases you may have this decision reviewed. On your request, Heart to Heart – WY will discuss with you the details of the request and denial process.
- *Right to Amend* – You have the right to request an amendment of PHI for as long as the PHI is maintained in the record. Heart to Heart – WY may deny your request. On your request, we will discuss with you the details of the amendment process.
- *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.
- *Right to a Paper Copy* – You have the right to obtain a paper copy of the notice from Heart to Heart - WY upon request, even if you have agreed to receive the notice electronically.

Therapist’s Duties:

- Heart to Heart – WY is required by law to maintain the privacy of PHI and to provide you with a notice of our legal duties and privacy practices with respect to PHI.
- Heart to Heart – WY reserves the right to change the privacy policies and practices described in this notice. Unless I notify you of such changes, however, I am required to abide by the terms currently in effect.
- If Heart to Heart – WY revises our policies and procedures, Heart to Heart - WY will notify you by U.S. mail or in person during our session.
- When information is disclosed, Heart to Heart - WY will disclose the minimum amount of information necessary to address the reason the information was requested.

COMPLAINTS: If you are concerned that Heart to Heart - WY has violated our privacy rights, or you disagree with a decision we have made about access to your records, you may contact Thea Farrington, Executive Director for Heart to Heart – WY. She can be reached at 952-956-4222. You may also send a written complaint to the Secretary of the U.S. Department of Health and Human Services. The Privacy Officer can provide you with the appropriate address upon request.

EFFECTIVE DATE: This notice will go into effect on J 1, 2022.