

JANET UPCHURCH, MA, LPC
NOTICE OF PRIVACY PRACTICES
Effective April 14, 2003

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.

Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), you have certain rights regarding the use and disclosure of your protected health information.

During the process of providing services to you, Janet Upchurch, MA, LPC will obtain, record, and use mental health and medical information about you that is protected health information. That information is confidential and will not be used or disclosed, except as described below:

GENERAL USES AND DISCLOSURES NOT REQUIRING CLIENT CONSENT:

Treatment: Janet Upchurch, MA, LPC keeps records of the care and services she provides to you. Your provider uses these records to deliver quality care to meet your needs. Your provider may share all or part of your health information with another health care provider or facility (e.g. hospital) who will assist in your care. Because of the sensitivity of mental health records, Janet Upchurch, MA, LPC will release the minimum amount of information necessary for the purpose at hand based on her professional judgment.

Payment: Janet Upchurch, MA, LPC keeps billing records that include payment information and documentation of the services provided to you. Your information may be used to obtain payment from your insurance company or other third party. The information provided to insurance companies and other third party payors may include information that identifies you, as well as your diagnosis, type of service, date of service, provider name, and other information about your condition and treatment. Janet Upchurch, MA, LPC may also contact your insurance company or managed care company to verify coverage for your care or to request authorization to treat you. Some insurance plans require your provider to submit periodic treatment plans as a condition of authorizing further treatment. Janet Upchurch, MA, LPC currently utilizes a billing service and as such your provider discloses to that company only that information that is necessary for billing purposes. The billing company is required to comply with the same federal and state guidelines as Janet Upchurch, MA, LPC regarding protection of health information and privacy.

Health Care Operations: Health Care Operations refers to activities undertaken by Janet Upchurch, MA, LPC that are regular functions of management and administrative activities. For example, Janet Upchurch, MA, LPC may use your health information in monitoring of service quality, staff training and evaluation, medical reviews, legal services, auditing functions, compliance programs, business planning, and accreditation, certification, licensing and credentialing activities.

Janet Upchurch, MA, LPC will disclose protected health information when required by law or necessary for health care oversight. This includes, but is not limited to the following situations:

1. When the client is a danger to self or others or gravely disabled (i.e. unable to meet own basic needs)
2. Known or suspected abuse or harmful neglect of children, the elderly, or disabled or incompetent individuals
3. For health oversight activities such as investigations, audits, and inspections
4. When requested by law enforcement as required by law or court order as otherwise required by law
5. To reduce or prevent a serious threat to public health and safety
6. To coroners or medical examiners, when such individuals are performing duties authorized by law.

7. For specialized government functions such as intelligence and national security
8. If the client is examined pursuant to a court order
9. In defending malpractice claims brought by client against licensee
10. When the validity of a will of a former client is contested
11. If the client alleges mental or emotional damages in civil litigation or his/her mental or emotional state becomes an issue in any court proceeding concerning child custody or visitation.
12. For workers' compensation purposes. Although my preference is to obtain an Authorization from you, I may provide your PHI in order to comply with workers' compensation laws.
13. Criminal Activity: Crimes that are observed by Janet Upchurch, MA, LPC, or occur on the clinic premises will be reported to law enforcement.
14. Involuntary Clients: Information regarding clients who are being treated involuntarily, pursuant to law, will be shared with other treatment providers, legal entities, third party payors, and others, as necessary to provide the care, management and coordination needed.

All other uses and disclosures not described in this notice require your (or your legal representative's) signed authorization. You may revoke your authorization at any time, provided the revocation is in writing. The revocation will apply, except to the extent that Janet Upchurch, MA, LPC has already taken action in accordance with the previously signed Release of Information or Authorization.

Family Members: Except in the cases of minor children (under 18), involuntary clients, and clients deemed legally incompetent, protected health information cannot be provided to family members without the client's consent. In situations where family members are present during a discussion with the client, and it can be reasonably inferred from the circumstances that the client does not object, information may be disclosed in the course of that discussion. However, if the client objects, protected health information will not be disclosed.

With regards to disclosure of protected health information to parents of dependent children and adolescents, Janet Upchurch, MA, LPC may or may not disclose clinical information to the parent(s)/guardians depending on the situation and provider's clinical judgment. In the counseling relationship it is very important to have a therapeutic trust between the provider and client and quite often this requires knowledge by the child/adolescent that information will be kept confidential and not released to a parent. As such, the provider may withhold information from the parent(s) if she feels it is in the client's best interest. Exceptions to this would be if the client gives indications of being an imminent danger to self or others. In this case the parent(s) or legal guardians would be contacted immediately. If a parent has questions or concerns about this policy, they are advised to speak directly to their child's provider, Janet Upchurch, MA, LPC.

YOU HAVE THE FOLLOWING RIGHTS WITH RESPECT TO YOUR PHI:

1. To request additional restrictions on the use or disclosure of your protected health information. Janet Upchurch, MA, LPC will consider all requests for restrictions carefully, but is not required to agree to any restriction. If Janet Upchurch, MA, LPC disagrees with your requested restrictions, she will discuss this with you.
2. To request restrictions for out-of-pocket expenses paid for in full. You have the right to request restrictions on disclosures of your PHI to health plans for payment or health care operations purposes if the PHI pertains solely to a health care item or a health care service that you have paid for out-of-pocket in full.
3. The right to choose how Janet Upchurch, MA, LPC sends PHI to You. You have the right to ask to be contacted in a specific way (for example, home or office phone) or to send mail to a different address, and all reasonable requests will be honored.
4. The right to inspect and obtain a copy of Your PHI. Other than "psychotherapy notes," you have the right to get an electronic or paper copy of your medical record and other information that Janet

Upchurch, MA, LPC has about you. Janet Upchurch, MA, LPC will provide you with a copy of your record, or a summary of it, if you agree to receive a summary, within 30 days of receiving your written request, and you may be charged a reasonable, cost based fee for your record. Janet Upchurch, MA, LPC may deny an individual access in certain specified situations, such as when she believes access could cause harm to the individual or another. In such situations, the individual must be given the right to have such denials reviewed by a licensed health care professional for a second opinion.

5. To request an accounting of certain disclosures of your health information made by Janet Upchurch, MA, LPC. The accounting does not include disclosures made for treatment, payment, and health care operations and some disclosures required by law. In addition, the accounting does not include disclosures made to you or disclosures made pursuant to a signed Authorization. Your request must state the period of time desired for the accounting, which must be within the six year period prior to your request.*
6. To request corrections or additions to your health information. Janet Upchurch, MA, LPC is not required to amend the health information if she determines the record to be accurate and complete. Janet Upchurch, MA, LPC cannot make changes to health information generated by other providers, agencies, or institutions.*
7. To request a paper or electronic copy of this notice. You have the right get a paper copy of this notice, and you have the right to get a copy of this notice by e-mail. And, even if you have agreed to receive this notice via e-mail, you also have the right to request a paper copy of it.

Requests marked with a (*) must be made in writing. Contact Janet Upchurch, MA, LPC for assistance.

ADDITIONAL INFORMATION:

Privacy Laws: Janet Upchurch, MA, LPC, is required by State and Federal law to maintain the privacy of protected health information (PHI), and to provide client's with notice of her legal duties and privacy practices with respect to protected health information. That is the purpose of this notice.

Terms of the Notice: Janet Upchurch, MA, LPC is required to abide by the terms of this Notice, or any amended notice that may follow. Janet Upchurch, MA, LPC reserves the right to make changes to the Notice and to make the new privacy practices effective for all information she maintains. Current notices will be posted in the office, and will be available upon request.

Additional Information and Complaints Regarding Privacy Rights: If you would like further information about your privacy rights, or if you believe Janet Upchurch, MA, LPC has violated your privacy rights, please contact Janet Upchurch, MA, LPC, Attn: Privacy Officer, 2020 Grand Avenue, #516, Laramie, WY 82070, Phone: 208-490-0635. You also have the right to submit a written complaint to the Centralized Case Management Operations, U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Room 509F, HHH Bldg., Washington D.C. 20201 or email to OCRComplaint@hhs.gov. It is the policy of Janet Upchurch, MA, LPC to not retaliate against you for filing a complaint.

EFFECTIVE DATE OF THIS NOTICE

This notice went into effect on September 20, 2013