

FLORIDA NOTICE

Noice of Mental Health Policies and Practicies to protect the privacy of Your Health Information

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

1. Uses and Disclosures for Treatment, Payment and Healthcare Operations

Matthew Fahy, L.M.H.C. may use or disclose your Protected Health Information (PHI) for treatment, Payment and health-care operation 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” is when Matthew Fahy, L.M.H.C. provides, coordinates or manages your healthcare and other services related to you healthcare. An example of treatment would be when Matthew Fahy, L.M.H.C. consults with another health-care provider, such as your family physician or another psychiatrist, psychologist, licensed mental health professionals, unlicensed mental health professional, mental health intern, State of Florida Department of Education, Division of Vocational Rehabilitation (DVR) Counselors and DVR Support staff or private agencies providing services to you as part of Vocational Rehabilitation Services.

“Payment” is when Matthew Fahy, L.M.H.C. obtains reimbursement for your healthcare. Examples of payment are when Matthew Fahy, L.M.H.C. discloses your{HI to your health insurer or other third party payers such as DVR to obtain reimbursement for your healthcare or to determine eligibility or coverage.

“Healthcare Operations” are activities that relate to the performance and operation of Matthew Fahy, L.M.H.C. Examples of healthcare operations are quality assessment and improvement activities, buisness-related matters such as audits and administrative services and case management and care coordination.

“Use” applies only to activities within Matthew Fahy, L.M.H.C. practice areas, offices, clinic, practice group, etch such as sharing, employing, applying, utilizing, examining and analyzing information that identifies you.

“Disclosure” applies to activities outside of Matthew Fahy, L.M.H.C.’s office such as releasing, transferring or providing access to information about you to other parties.

2. Uses and Disclosures Requiring Authorization

Matthew Fahy, L.M.H.C. may use or disclose PHI for purposes outside of treatment, payment and healthcare operations when your appropriate authorization is obtained.

An “authorization” is written permission above and beyond the general consent that permits only specific disclosures. In those instances, when Matthew Fahy, L.M.H.C. is asked for information for purposes outside of treatment, payment an healthcare operations, Matthew Fahy, L.M.H.C. will obtain an authorization form you before releasing this information. Matthew Fahy, L.M.H.C. will also ned to obtain an authorization before releasing your psychotherapy notes.

“Psychotherapy notes” are notes Matthew Fahy, L.M.H.C. has made about your conversations during a private, group, joint or family counseling session. These notes are kept separate from the rest of your medical record because they are given a greater degree of protection than PHI.

You may revoke all such authorization (of PHI or psychotherapy notes) at any time, provided each revocation is in writing. You may not revoke an authorization to the extent that (1) Matthew Fahy, L.M.H.C. relies on the authorization; or (2) if the authorization was obtained as a condition of obtaining insurance coverage, and the law provides the insurer the right to contest the claim under the policy.

3.) Uses and Disclosures with Neither Consent nor Authorization

Matthew Fahy, L.M.H.C. may use or disclose PHI without your consent or authorization in the following circumstances:

- **Child Abuse:** if Matthew Fahy, L.M.H.C. knows or has reasonable cause to suspect that a child is abused, abandoned or neglected by a parent, legal guardian, caregiver or other person responsible for the child’s welfare, the law requires that Matthew Fahy, L.M.H.C. reports such knowledge or suspicion to the Florida Department of Child and Family Services
- **Adult and Domestic abuse:** if Matthew Fahy, L.M.H.C. knows or has reasonable cause to suspect that a vulnerable adult (disabled or elderly) has been or is being abused, neglected or exploited, Matthew Fahy, L.M.H.C. is require d by law to

immediately report such knowledge or suspicion to the Central Abuse Hotline.

- **Health Oversight:** If a complaint is filed against Matthew Fahy, L.M.H.C. with the Florida Department of Health on behalf of the Board of Psychiatry, Psychology or mental Health Professionals, the Department has the authority to subpoena confidential mental health information from Matthew Fahy, L.M.H.C. relevant to that complaint.
- **Judicial or Administrative Proceedings:** If you are involved in a court proceeding and request is made for information about your diagnosis or treatment and the records thereof, such as information is privileged under state law, and Matthew Fahy, L.M.H.C. will not release information without the written authorization of you or your legal representative, or a subpoena of which you have been properly notified and you have failed to inform Holistic Mental Health Clinic that 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:** When you present a clear and immediate probability or physical harm to yourself, to other individuals, or to society, Matthew Fahy, L.M.H.C. may communicate relevant information concerning this to the potential victim, appropriate family member, or law enforcement or other appropriate authorities.
- **Worker's Compensation:** If you file a Worker's Compensation claim, Matthew Fahy, L.M.H.C. must, upon request of your employer, the insurance carrier, an authorized qualified rehabilitation provider, or the attorney for the employer or insurance carrier, furnish your relevant records to those persons.
- **Vocational Rehabilitation Services:** If you are referred through Division of Vocational Rehabilitation Services, Matthew Fahy, L.M.H.C. is required to provide written reports and telephonic consultations with the DVR counselor regarding but not limited to progress in treatment, psychological limitations as they relate to a successful vocational outcome, work readiness and prognosis for return to work.

4. Patient's Rights and Psychotherapist's Duties

Patient's Rights:

- **Right to Request Restrictions:** You have the right to request restrictions on certain uses and disclosures of protected health information about you. However, Matthew Fahy, L.M.H.C. is not required to agree to a restriction you request.
- **Right to Receive Confidential Communications by Alternative Means and at Alternative Locations:** You have the right to request and receive confidential communication of PHI by alternative means and at alternative locations. (For example, you may not want a family member to know that you are seeing a Holistic Mental Health Clinic practitioner. Upon your request, I 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 and billing records used to make decisions about you for as long as the PHI is maintained in the record. On your request, Matthew Fahy, L.M.H.C. will discuss with you the details of the request process.
- **Right to Amend:** You have the right to request an amendment of the PHI for as long as the PHI is maintained in the record. Matthew Fahy, L.M.H.C. may deny your request. On your request, Matthew Fahy, L.M.H.C. 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 regarding you. On your request, Matthew Fahy, L.M.H.C. will discuss with you the details of the accounting process.
- **Right to a Paper Copy:** you have a right to obtain a paper copy of the notice from Matthew Fahy, L.M.H.C. you have agreed to receive the notice electronically.

Matthew Fahy, L.M.H.C. is required by law to maintain the privacy of PHI and to provide you with a notice of legal duties and privacy practices with respect to PHI. Matthew Fahy, L.M.H.C. reserves the right to change the privacy policies and practices described in this notice. Unless Matthew Fahy, L.M.H.C. notifies you of such changes, however, Matthew Fahy, L.M.H.C. is required to abide by the terms currently in effect. If Matthew Fahy, L.M.H.C. revise these policies and procedures you will be notified by mail.

5. Office Policies

It is the policy of Matthew Fahy, L.M.H.C. to charge for services that are outside the scope of your professional visit.

- **Missed Appointments:** You will be charged the entire amount of your regular office visit fee if you cancel your appointment with less than 24 hours notice unless an emergency situation occurred. If you are receiving services through DVR your record of participation will be documented to your DVR Counselor.
- **Letter/Form Completion:** There will be a \$40.00 fee for a simple letter, i.e. school, employment, etc, There will be a \$60.00 fee for forms completion. There will be a \$125.00 fee for large forms/letter/reports, i.e. disability, court, etc.
- **Therapeutic Phone Calls:** There will be a \$10.00 fee for phone consultations from 6 to 14 minutes in length and a \$25.00 fee for phone consultations of 15 minutes or longer.
- **Photocopying:** There will be a charge of \$0.50 per page whether it is for copies to be mailed to your attorney, insurance companies for disability, forwarding copies of records to other physicians outside the scope of your treatment.

These charges are not covered by insurance companies or DVR and will be the responsibility of the patient.

6. Questions and Complaints

If you have questions regarding this notice, disagree with a decision made by Matthew Fahy, L.M.H.C. about access to your records, or have other concerns about your privacy rights, you may contact Matthew Fahy, L.M.H.C. If you believe that your privacy rights have been violated and wish to file a complaint, you may send a written complaint to the Secretary of the U. S. Department of Health and Human Services. You have specific rights under the Privacy Rule. Matthew Fahy, L.M.H.C. will not retaliate against you for exercising your right to file a complaint.

7. Effective Date, Restrictions and Changes to Privacy Policy

This notice will go into effect June 1 2018. Matthew Fahy, L.M.H.C. reserves the right to change the terms of this notice and to make the new notice provisions effective for all PHI that Matthew Fahy, L.M.H.C. maintains. Matthew Fahy, L.M.H.C. will provide you with a revised notice by mail if applicable