

Trade Winds Therapy, LLC and Relationship Coaching Notice of Privacy Practices

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. This notice is effective on April 14, 2003.

The Health Insurance Portability & Accountability Act of 1996 (HIPAA) requires all health care records and other individually identifiable health information (PROTECTED HEALTH INFORMATION) used or disclosed to us in any form, whether electronically, on paper, or orally, be kept confidential. This federal law gives you, the patient, significant new rights to understand and control how your health information is used. HIPAA provides penalties for covered entities that misuse personal health information. During the process of providing services to you, Trade Winds Therapy, LLC and Relationship Coaching will obtain and use mental health and medical information concerning you that is both confidential and privileged. Ordinarily this confidential information will be used in the manner that is described in this statement, and will not be disclosed without your consent, except for the circumstances described in this Notice.

Without specific written authorization, we are permitted to use and disclose your health care records for the purposes of treatment, payment, and health care operations.

I. USES AND DISCLOSURES OF PROTECTED INFORMATION

- a. **General Uses and Disclosures Not Requiring the Clients Consent.** Trade Winds Therapy, LLC and Relationship Coaching will use and disclose protected health information in the following ways:
 - i. **Treatment.** Treatment refers to the provision, coordination, or management of mental health care and related services by one or more health care providers. For example, Trade Winds Therapy, LLC and Relationship Coaching therapists and staff involved with your care may use your information to plan your course of treatment and consult with other health care professionals or their staff concerning services needed or provided to you.
 - ii. **Payment.** Payment refers to the activities undertaken by a health care provider to obtain or provide reimbursement for the provision of health care. For example, Trade Winds Therapy, LLC and Relationship Coaching and other health care professionals will use information that identifies you, including information concerning your diagnosis, services provided to you, dates of services, and services needed by you, and may disclose such information to insurance companies, to businesses that review bills for health care services and handle claims for payment of health care benefits in order to obtain payment for services. If you are covered by Medicaid, information may be provided to the State of Colorado's Medicaid program, including but not limited to your treatment, condition, diagnosis, and services received.
 - iii. **Health Care Operations.** Health care operations means activities undertaken by health insurance companies, businesses that administer health plans, and companies that review bills for health care services in order to process claims for health care benefits. These functions include management and administrative activities. For example, such companies 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.
 - iv. **Contacting the Client.** Trade Winds Therapy, LLC and Relationship Coaching may contact you to remind you of appointments and tell you about treatments or other services that might be of benefit to you.
 - v. **Required by Law.** Trade Winds Therapy, LLC and Relationship Coaching will disclose protected health information when required by law. This includes, but is not limited to: (a) reporting child abuse or neglect to the Department of Human Services or to law enforcement; (b) when court ordered to release information; (c) when there is legal duty to warn of a threat that a client has made of imminent physical violence, healthcare professionals are required to notify the potential victim of such a threat and report it to law enforcement; (d) when a client is imminently dangerous to herself/himself or others, or is gravely disabled, healthcare professionals may have a duty to hospitalize the client in order to obtain a 72-hour evaluation of the client; and (e) when required to report a threat to the national security of the United States.
 - vi. **Health Oversight Activities.** Your confidential, protected health information may be disclosed to health oversight agencies for oversight activities authorized by law and necessary for the oversight of the health care system, government health care benefit programs, and regulatory programs for determining compliance with program standards.
 - vii. **Crimes on the Premises or Observed by Trade Winds Therapy, LLC and Relationship Coaching Personnel.** Crimes that are observed by Trade Winds Therapy, LLC and Relationship Coaching staff that are directed towards staff, or occur on Trade Winds Therapy, LLC and Relationship Coaching premises will be reported to law enforcement.

- viii. **Business Associates.** Confidential healthcare information concerning you, provided to insurers or to plans for purposes or payment for services that you receive may be disclosed to business associates. For example, some administrative, clinical, quality assurance, billing, legal, auditing, and practice management services may be provided by contracting with outside entities to perform those services. In those situations, protected health information will be provided to those contractors as needed to perform their contracted tasks. Business associates are required to enter into an agreement maintaining the privacy of the protected health information released to them.
- ix. **Research.** Protected health information concerning you may be used with your permission for research purposes if the relevant provisions of the Federal HIPPA privacy regulations are followed.
- x. **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 and management coordination needed in compliance with Colorado law.
- xi. **Family Members.** Except for certain minors, incompetent clients, or involuntary clients, 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.
- xii. **Emergencies.** In life-threatening emergencies, Trade Winds Therapy, LLC and Relationship Coaching staff will disclose information necessary to avoid serious harm or death.
- b. **Client Release of Information or Authorization.** Trade Winds Therapy, LLC and Relationship Coaching staff and other healthcare professionals may not use or disclose protected health information in any way without a signed release of information or authorization. When you sign a release of information, or an authorization, it may later be revoked, provided that the revocation is in writing. The revocation will apply, except to the extent that Trade Winds Therapy, LLC and Relationship Coaching has already taken action in reliance thereon.

II. YOUR RIGHTS AS A CLIENT

- a. **Access to Protected Health Information.** You have the right to receive a summary of confidential health information concerning you with regard to mental health services needed or provided to you. There are some limitations to this right, which will be provided to you at the time of your request, if such limitation applies. To make this request, ask Trade Winds Therapy, LLC and Relationship Coaching staff for the appropriate request form.
- b. **Amendment of Your Record.** You have the right to request that Trade Winds Therapy, LLC and Relationship Coaching or your healthcare professionals amend your protected health information. Trade Winds Therapy, LLC and Relationship Coaching is not required to amend the record if it is determined that the record is accurate and complete. There are other exceptions, which will be provided to you at the time of your request, if relevant, along with the appeal process available to you. To make a request, ask Trade Winds Therapy, LLC and Relationship Coaching staff for the appropriate form.
- c. **Accounting and Disclosures.** You have the right to receive an accounting of certain disclosures Trade Winds Therapy, LLC and Relationship Coaching has made regarding your protected health information. However, that accounting does not include disclosures that were made for the purposes of treatment, payment, or health care operations. In addition, the accounting does not include disclosures made to you, disclosures made pursuant to a signed authorization, or disclosures made prior to April 14, 2003. There are other exceptions that will be provided to you, should you request an accounting. To make a request, ask Trade Winds Therapy, LLC and Relationship Coaching staff for the appropriate request form.
- d. **Additional Restrictions.** You have the right to request additional resources restrictions on the use or disclosure of your health information. Trade Winds Therapy, LLC and Relationship Coaching does not have to agree to that request, and there are certain limits to any restriction, which will be provided to you at the time of your request. To make a request, ask Trade Winds Therapy, LLC and Relationship Coaching staff for the appropriate request form.
- e. **Alternative Means of Receiving Confidential Communications.** You have the right to request that you receive communications of protected health information from Trade Winds Therapy, LLC and Relationship Coaching by alternative means or at alternative locations. For example, if you do not want Trade Winds Therapy, LLC and Relationship Coaching to mail bills or other materials to your home, you can request that this information be sent to another address. There are limitations to the granting of requests, which will be provided to you at the time of the request process. To make a request, ask Trade Winds Therapy, LLC and Relationship Coaching staff for the appropriate request form.
- f. **Copy of This Notice.** You have a right to obtain another copy of this notice upon request.

III. ADDITIONAL INFORMATION

- a. **Privacy Laws.** Trade Winds Therapy, LLC and Relationship Coaching is required by state and federal law to maintain the privacy of protected health information. In addition, Trade Winds Therapy, LLC and Relationship Coaching is required by law to provide clients with notice of its legal duties and privacy practices with respect to protected health information. That is the purpose of this notice.

