

Notice of Privacy Practices

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

I. My commitment to your privacy

Your health information is personal. I create and maintain records of the care and services I provide. I am required by law to protect the privacy and security of protected health information (PHI), provide this notice of my legal duties and privacy practices, follow the notice currently in effect, and notify affected individuals when required following a breach of unsecured PHI. This notice applies to records maintained by my psychotherapy practice. I comply with HIPAA, the Minnesota Health Records Act, and other applicable federal and state confidentiality laws. Where Minnesota or other applicable law provides greater privacy protection, I follow that law.

II. How I may use or disclose health information

Treatment. I use your information to evaluate your needs, provide psychotherapy, coordinate care, consult as appropriate, and make referrals. Although HIPAA permits certain disclosures for treatment without authorization, Minnesota law generally requires a signed, dated consent or another legally recognized basis before health records are released to another person or provider. I follow the more protective applicable rule, including applicable exceptions.

Payment. I may use information to bill for services, submit insurance claims, verify coverage, and collect payment. Releases of health records to health plans or others are subject to Minnesota consent requirements, any applicable statutory authorization or exception, and federal privacy rules.

Health care operations. I may use information for practice management, quality improvement, professional consultation, recordkeeping, compliance, and other lawful operations. Service providers that handle PHI on my behalf are subject to applicable confidentiality and contractual safeguards.

Other uses or disclosures permitted or required by law. Subject to applicable conditions and restrictions, these may include reporting suspected child maltreatment or vulnerable-adult maltreatment; responding to serious threats to health or safety when legally permitted; lawful public health and oversight activities; workers' compensation requirements; and valid legal process. A subpoena or court request does not automatically authorize disclosure of all mental health records. I assess the applicable Minnesota and federal requirements before responding. Disclosures without patient consent are documented when required by Minnesota law.

Appointment reminders. I may contact you about appointments and services using communication methods permitted by law and your preferences.

III. Uses and disclosures requiring written authorization

Except where an applicable law authorizes or requires a disclosure without consent, I obtain signed, dated consent or authorization before releasing health records when Minnesota or federal law requires it. Under Minnesota law, consent generally lasts one year unless a different duration is specified or an applicable statutory rule provides otherwise; some consultation and payment-related circumstances have distinct rules. I

follow the applicable scope and duration for each disclosure. Written authorization is also required for uses or disclosures for marketing or sale of protected health information when required by HIPAA. I do not sell protected health information or use it for marketing. You may revoke an authorization in writing, except to the extent action has already been taken in reliance on it.

Clinical records and psychotherapy notes. I maintain clinical documentation, including assessments, treatment plans, and progress notes, as part of the regular health record. I do not maintain separate 'psychotherapy notes' as that term is defined by HIPAA. If my recordkeeping practices change, I will follow the additional legal protections that apply to separately maintained psychotherapy notes.

IV. Additional protections for substance use disorder records

If I receive or maintain substance use disorder (SUD) patient records protected by 42 CFR Part 2, additional federal confidentiality protections apply. Part 2 records are used or disclosed only as permitted by Part 2, HIPAA, and applicable Minnesota law. A valid Part 2 consent may authorize future uses and disclosures for treatment, payment, and health care operations; when a HIPAA-covered recipient receives records under such consent, certain further uses or disclosures may be permitted under HIPAA, subject to Part 2 restrictions on proceedings against the patient and other applicable laws. Part 2 records and testimony describing them generally cannot be used or disclosed in civil, criminal, administrative, or legislative investigations or proceedings against you without your written consent or a Part 2-compliant court order accompanied by a subpoena or similar legal mandate. I do not conduct fundraising using patient records. If fundraising communications using Part 2 records were ever proposed, I would provide clear advance notice and a choice about receiving those communications as required by law.

V. Your choices about certain disclosures

When legally permitted, you may tell me whether I may share relevant information with family members, friends, or others involved in your care or payment for your care. I will respect your instructions subject to applicable law. In an emergency or when you cannot communicate, legally permitted disclosures may be made based on professional judgment and applicable state and federal requirements.

VI. Your rights regarding your information

Access and copies. You may request to inspect or obtain an electronic or paper copy of records in your designated record set, subject to applicable legal exceptions. I will respond promptly as required by Minnesota law and within HIPAA's applicable time limits (generally 30 days, subject to a permitted extension). Under Minnesota Statutes § 144.292, subdivision 6(a), I will not charge a fee when you request a copy of your health record for the purpose of reviewing your current medical care. For other requests, any fee will comply with applicable Minnesota and federal law, including HIPAA's limits on permitted copying charges. I will explain any applicable fee before providing copies.

Amendment. You may ask me to correct information you believe is inaccurate or incomplete. If I deny the request, I will explain the denial and your available rights in writing.

Confidential communications. You may request contact through a particular method or at a particular location. I will accommodate reasonable requests as required by law.

Restrictions. You may request limits on certain uses or disclosures. I am not generally required to agree, except that I must honor a qualifying request not to disclose information to a health plan for payment or health care operations when you paid for the relevant service in full out of pocket, unless disclosure is required by law.

Accounting of disclosures. You may request an accounting of certain disclosures of your PHI, subject to applicable exclusions and time limits.

Copy of this notice. You may obtain a paper copy of this notice at any time, even if you received it electronically.

Personal representative. A person legally authorized to act for you may exercise certain rights on your behalf, subject to applicable law and safety exceptions.

Minnesota rights and separate notice. Minnesota law provides additional rights regarding access to and disclosure of health records. The Minnesota Department of Health's "Access to Health Records — Notice of Rights" is included as Appendix A at the end of this document. This appendix explains access rights and circumstances in which information may be released without written consent. The notices are provided together for convenience; required authorizations and consent forms remain separate.

VII. My responsibilities and changes to this notice

I am required to maintain appropriate safeguards, follow the terms of the notice currently in effect, and notify you of qualifying breaches of unsecured PHI. I may change this notice and make the revised terms effective for information I already maintain, as allowed by law. The current notice will be available on my website, at my office, and upon request.

VIII. Questions and complaints

For questions, requests, or privacy complaints, contact: Courtney Regnier, LMFT, 218-322-1185, cregnier.therapy@gmail.com, 35586 Co Rd 66, Suite 249, PO Box 845, Crosslake, MN 56442.

You may also file a complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, at <https://www.hhs.gov/hipaa/filing-a-complaint/index.html>, by calling 1-877-696-6775, or by writing to 200 Independence Avenue SW, Washington, DC 20201. I will not retaliate against you for filing a complaint.

Acknowledgment of receipt

By signing or checking the acknowledgment below, you acknowledge that you have received and been provided access to this Notice of Privacy Practices, including the Minnesota Notice of Access to Health Records attached as Appendix A. Your acknowledgment does not authorize the disclosure of your health information or waive any of your privacy rights.

Appendix A — Minnesota Access to Health Records

NOTICE OF RIGHTS

This notice explains the rights you have to access your health record, and when certain information in your health record can be released without your consent. This notice does not change any protections you have under the law.

YOUR RIGHT TO ACCESS AND PROTECT YOUR HEALTH RECORD

- A health care provider, or a person who gets health records from a provider, must have your signed and dated consent to release your health record, except for specific reasons in the law.
- You can see your health record for information about any diagnosis, treatment, and prognosis.
- You can ask, in writing, for a copy or summary of your health record, which must be given to you promptly.
- You must be given a copy or a summary of your health record unless it would be detrimental to your physical or mental health, or cause you to harm another.
- You cannot be charged if you request a copy of your health record to review your current care.
- If you request a copy of your health record and it does not include your current care, you can only be charged the maximum amount set by Minnesota law for copying your record.

RELEASE OF YOUR HEALTH RECORD WITHOUT YOUR CONSENT

There are specific times that the law allows some health record information held by your provider to be released without your written consent. Some, but not all, of the reasons for release under federal law are:

- For specific public health activities
- When health information about victims of abuse, neglect, or domestic violence must be released to a government authority
- For health oversight activities
- For judicial and administrative proceedings
- For specific law enforcement purposes
- For certain organ donation purposes
- When health information about decedents is required for specific individuals to carry out their duties under the law
- For research purposes approved by a privacy board
- To stop a serious threat to health or safety
- For specialized government functions related to national security
- For workers' compensation purposes

Under Minnesota law, health record information may be released without your consent in a medical emergency, or when a court order or subpoena requires it. The following include some of the agencies, persons, or organizations that specific health record information may or must be released to for specific purposes, or after certain conditions are met:

- Medical examiners or coroners
- Schools, childcare facilities, and Community Action Agencies to transfer immunization records
- Medical or scientific researchers
- Parent/legal guardian who did not consent for a minor's treatment, when failure to release health information could cause serious health problems
- Law enforcement agencies
- Insurance companies and other payors paying for an independent medical examination

- The Departments of Health, Human Services, Public Safety, Commerce, Minnesota Management & Budget, Labor & Industry, Corrections, and Education
- Insurers and employers in workers' compensation cases
- Ombudsman for Mental Health and Developmental Disabilities
- Health professional licensing boards/agencies
- Victims of serious threats of physical violence
- The State Fire Marshal
- Local welfare agencies

If you would like additional information or links to specific laws, visit www.health.state.mn.us and search for "access to health records" or call the Minnesota Department of Health at (651) 201-5178.

Minnesota Statutes, section 144.292, subdivision 4. Minnesota Department of Health notice, revised April 14, 2009. Source: <https://www.health.state.mn.us/facilities/notices/docs/notice.pdf>. Appendix text reproduced from the state notice; formatting adapted for this combined document.