



PSYCHSTRATEGIES

Notice of Privacy Practices

I. 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.

II. PSYCHSTRATEGIES HAS A LEGAL DUTY TO SAFEGUARD YOUR PROTECTED HEALTH INFORMATION (PHI).

PsychStrategies is legally required to protect the privacy of your PHI, which includes information that can be used to identify you that PsychStrategies has created or received about your past, present, or future health or condition; the provision of health care to you; or the payment of this health care. PsychStrategies must provide you with this Notice about its privacy practices, and such Notice must explain how, when, and why PsychStrategies will “use” and “disclose” your PHI. A “use” of PHI occurs when PsychStrategies shares, examines, utilizes, applies, or analyzes such information within its practice; PHI is “disclosed” when it is released, transferred, has been given to, or is otherwise divulged to a third party outside of PsychStrategies. With some exceptions, PsychStrategies may not use or disclose any more of your PHI than is necessary to accomplish the purpose for which the use or disclosure is made. And PsychStrategies is legally required to follow the privacy practices described in this Notice.

PsychStrategies reserves the right to change the terms of this Notice and its privacy policies at any time. Any changes will apply to PHI already on file with PsychStrategies. When PsychStrategies makes any important changes to its policies, it will promptly change this Notice and post a new copy of it in PsychStrategies offices and on its website www.PsychStrategies.com.

III. HOW PSYCHSTRATEGIES MAY USE AND DISCLOSE YOUR PHI.

PsychStrategies will use and disclose your PHI for many different reasons. For some of these uses or disclosures, PsychStrategies will need your prior written authorization; for others PsychStrategies does not. Below are the different categories of uses and disclosures along with some examples of each category.

A. Uses and Disclosures Relating to Treatment, Payment, or Health Care Operations Do Not Require Your Prior Written Consent. PsychStrategies can use and disclose your PHI without your consent for the following reasons:

1. For Treatment. PsychStrategies can use your PHI within its practice to provide you with mental health treatment, including discussing or sharing your PHI with trainees and interns. PsychStrategies can disclose your PHI to physicians, psychiatrists, psychologists, and other licensed health care providers who provide you with health care services or are involved in your care. For example, if a psychiatrist is treating you, PsychStrategies can disclose your PHI to your psychiatrist to coordinate your care.

2. To Obtain Payment for Treatment. PsychStrategies can use and disclose your PHI to bill and collect payment for the treatment and services provided by PsychStrategies to you. For example, PsychStrategies might send your PHI to your insurance company or health plan in order to be paid for the health care services that PsychStrategies has provided to you. PsychStrategies may also provide your PHI to its business associates, such as billing companies, claims processing companies, and others that process its health care claims.

3. For Health Care Operations. PsychStrategies can use and disclose your PHI to operate its practice. For example, PsychStrategies might use your PHI to evaluate the quality of health care services that you received or to evaluate the performance of the health care professionals who provided such services to you. PsychStrategies may also provide your PHI to its accountant, attorney, consultants, or others to further its health care operations.

4. Patient Incapacitation or Emergency. PsychStrategies may also disclose your PHI to others without your consent if you are incapacitated or if an emergency exists. For example, your consent isn't required if you need emergency treatment, as long as PsychStrategies tries to get your consent after treatment is rendered, or if PsychStrategies tries to get your consent but you are unable to communicate (for example, if you are unconscious or in severe pain) and PsychStrategies staff believe that you would consent to such treatment if you were able to do so.

B. Certain Other Uses and Disclosures Also Do Not Require Your Consent or Authorization. PsychStrategies can use and disclose your PHI without your consent or authorization for the following reasons:

1. When federal, state, or local laws require disclosure. For example, PsychStrategies may have to make a disclosure to applicable governmental officials when a law requires it to report information to government agencies and law enforcement personnel about victims of abuse or neglect.

2. When judicial or administrative proceedings require disclosure. For example, if you are involved in a lawsuit or a claim for workers' compensation benefits, PsychStrategies may have to use or disclose your PHI in response to a court or administrative order. PsychStrategies may also have to use or disclose your PHI in response to a subpoena.

3. When law enforcement requires disclosure. For example, PsychStrategies may have to use or disclose your PHI in response to a search warrant.

4. When public health activities require disclosure. For example, PsychStrategies may have to use or disclose your PHI to report to a government official an adverse reaction that you have to a medication.

5. When health oversight activities require disclosure. For example, PsychStrategies may have to provide information to assist the government in conducting an investigation or inspection of a health care provider or organization.

6. To avert a serious threat to health or safety. For example, PsychStrategies may have to use or disclose your PHI to avert a serious threat to the health or safety of others. However, any such disclosures will only be made to someone able to prevent the threatened harm from occurring.

7. For specialized government functions. If you are in the military, PsychStrategies may have to use or disclose your PHI for national security purposes, including protecting the President of the United States or conducting intelligence operations.

8. To remind you about appointments and to inform you of health-related benefits or services. For example, PsychStrategies may have to use or disclose your PHI to remind you about your appointments, or to give you information about treatment alternatives, other health care services, or other health care benefits that PsychStrategies offers that may be of interest to you.

C. Certain Uses and Disclosures Require You to Have the Opportunity to Object. PsychStrategies may provide your PHI to a family member, friend, or other person that you indicate is involved in your care or the payment of your health care, unless you object in whole or in part. The opportunity to consent may be obtained retroactively in emergency situations.

D. Other Uses and Disclosures Require Your Prior Written Authorization. In any other situation not described in sections III A, B, and C above, PsychStrategies will need your written authorization before using or disclosing your PHI. If you choose to sign an authorization to disclose your PHI, you can later revoke such authorization in

writing to stop any future uses and disclosures (to the extent that PsychStrategies hasn't taken any action in reliance on such authorization) of your PHI by PsychStrategies

IV. WHAT RIGHTS YOU HAVE REGARDING YOUR PHI

You have the following rights with respect to your PHI:

A. The Right to Request Restrictions on Uses and Disclosures by PsychStrategies You have the right to request restrictions or limitations on uses or disclosures by PsychStrategies of your PHI to carry out PsychStrategies treatment, payment, or health care operations. You also have the right to request that PsychStrategies restrict or limit disclosures of your PHI to family members or friends or others involved in your care or who are financially responsible for your care. Please submit such requests to PsychStrategies in writing. PsychStrategies will consider your request, but PsychStrategies is not legally required to accept it. If PsychStrategies does accept your request, PsychStrategies will put the acceptance in writing and PsychStrategies will abide by your request, except in emergency situations. However, be advised that you may not limit the uses and disclosures that PsychStrategies is legally required to make.

B. The Right to Choose How PsychStrategies Sends PHI to You. You have the right to request that PsychStrategies send confidential information to you at an alternate address (for example, sending information to your work address rather than to your home address) or by alternate means (for example, e-mail instead of regular mail). PsychStrategies must agree to your request so long as it is reasonable and you specify how or where you wish to be contacted, and, when appropriate, you provide PsychStrategies with information as to how payment for such alternate communications will be handled. PsychStrategies may not require an explanation from you as to the basis of your request as a condition of providing communications on a confidential basis.

C. The Right to Inspect and Receive a Copy of Your PHI. In most cases, you have the right to inspect and receive a copy of your PHI, but you must make the request to inspect and receive a copy such information in writing. If PsychStrategies does not have your PHI but PsychStrategies staff know who does, PsychStrategies will tell you how to get it. PsychStrategies will respond to your request within 30 days of receiving your written request. In certain situations, PsychStrategies may deny your request. If PsychStrategies denies your request, you will receive, in writing, the reasons for the denial and an explanation of your right to have the denial reviewed.

If you request copies of your PHI, PsychStrategies will charge you a reasonable, cost-based fee for each page. Instead of providing the PHI you requested, PsychStrategies may provide you with a summary or explanation of the PHI as long as you agree to that and to the cost in advance.

D. The Right to Receive a List of the Disclosures PsychStrategies Has Made. You have the right to receive a list of instances, i.e., an Accounting of Disclosures, in which PsychStrategies has disclosed your PHI. The list will not include disclosures made for PsychStrategies treatment, payment, or health care operations; disclosures made to you; disclosures you authorized; disclosures incident to a use or disclosure permitted or required by the federal privacy rule; disclosures made for national security or intelligence; disclosures made to correctional institutions or law enforcement personnel; or, disclosures made before April 14, 2003.

PsychStrategies will respond to your request for an Accounting of Disclosures within 60 days of receiving a written request. The list PsychStrategies will give you will include disclosures made over the last six years unless you request a shorter time period. The list will include the date the disclosure was made, to whom the PHI was disclosed (including their address, if known), a description of the information disclosed, and the reason for the disclosure. PsychStrategies will provide at least one accounting disclosure per year to you at no charge. A cost-based fee may be charged for each additional request.

E. The Right to Amend Your PHI. If you believe that there is a mistake in your PHI or that a piece of important information is missing, you have the right to request that PsychStrategies correct the existing information or add the missing information. You must provide the request and your reason for the request in writing. PsychStrategies will respond within 60 days of receiving your request to correct or update your PHI. PsychStrategies may deny your request in writing if the PHI is (i) correct and complete, (ii) not created by PsychStrategies, (iii) not allowed to be disclosed, or (iv) not part of PsychStrategies records. A written denial from PsychStrategies will state the reasons for the denial and explain your right to file a written statement of disagreement with the denial. If you do not file a written statement of disagreement, you have the right to request that your request and the denial by PsychStrategies be attached to all future disclosures of your PHI. If PsychStrategies approves your request, PsychStrategies will make the change to your PHI, let you know that PsychStrategies has done it, and inform others that need to know about the change to your PHI.

F. The Right to Receive a Paper Copy of This Notice. You have the right to receive a paper copy of this notice even if you have agreed to receive it via e-mail.

V. HOW TO COMPLAIN ABOUT OUR PRIVACY PRACTICES

If you think that PsychStrategies may have violated your privacy rights, or you disagree with a decision PsychStrategies made about access to your PHI, you may file a complaint with the person listed in Section VI below. You also may send a written complaint to the Secretary of the Department of Health and Human Services at 200 Independence Avenue S.W., Washington, D.C. 20201. PsychStrategies will take no retaliatory action against you if you file a complaint about its privacy practices.

VI. PERSON TO CONTACT FOR INFORMATION ABOUT THIS NOTICE OR TO COMPLAIN ABOUT PSYCHSTRATEGIES PRIVACY PRACTICES

If you have any questions about this notice, any complaints about the privacy practices of PsychStrategies, or would like to know how to file a complaint with the Secretary of the Department of Health and Human Services, please contact:

PsychStrategies
Director, Human Resources
1160 N Dutton, Suite 230
Santa Rosa, CA 95401

VII. EFFECTIVE DATE OF THIS NOTICE

This notice went into effect on April 28, 2004.