

Health Insurance Portability and Accountability Act of 1996 (HIPAA):

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 document may be updated without notice, when changes are made you will be notified. A copy of this statement is always available on our website at www.tppupstate.org.

All information revealed by you in a counseling session and most information placed in your counseling file (all medical records or other individually identifiable health information held or disclosed in any form [electronic, paper, or oral]) is considered “protected health information” by HIPAA. As such, your protected health information cannot be distributed to anyone else without your express informed and voluntary written consent or authorization. The exceptions to this are defined immediately below. Additional information regarding your rights as a client can be found in your therapist’s Professional Disclosure Statement and Consent for Treatment.

Use or disclosure of the following protected health information does not require your consent or authorization:

1. Uses and disclosures required by law - like files court - ordered by a Judge.
2. Uses and disclosures about victims of abuse, neglect, or domestic violence - like the Duties to Warn explained in your therapist’s Disclosure Statement.
3. Uses and disclosures for health and oversight activities - like correcting records or correcting records already disclosed.
4. Uses and disclosures for judicial and administrative proceedings - like a case where you are claiming malpractice or breach of ethics.
5. Uses and disclosures for law enforcement purposes - like if you intend to harm someone else (see Duties to Warn in your therapist’s Disclosure Statement).
6. Uses and disclosures for research purposes - like using client information in research; always maintaining client confidentiality.
7. Uses and disclosures to avert a serious threat to health or safety - like calling Probate Court for a commitment hearing.
8. Uses and disclosures for Workers’ Compensation - like the basic information obtained in counseling as a result of your Worker’s Compensation claim.

Your Rights as a Counseling Client under HIPAA:

- As a client, you have the right to see your counseling file. Counseling notes are afforded special privacy protection under the HIPAA regulations and are excluded from this right.
- As a client, you have the right to receive a copy of your counseling file. This file copy will consist of only documents generated by us. Counseling notes are afforded special privacy protection under the HIPAA regulations and are excluded from this right.

- As a client, you have the right to request amendments to your counseling file.
- As a client, you have the right to receive a history of all disclosures of protected health information.
- As a client, you have the right to restrict the use and disclosure of your protected health information for the purposes of treatment, payment, and operations. If you choose to release any protected health information, you will be required to sign a Release of Information form detailing exactly to whom and what information you wish disclosed.
- As a client, you have the right to register a complaint with the Secretary of Health and Human Services if you feel your rights, herein explained, have been violated. Prior to your counseling, you will receive:
 - 1.) an exact duplicate of these two pages
 - 2.) your therapist's Professional Disclosure Statement and Consent for Treatment - both for your personal records. It will be necessary for you to sign a document indicating that you have received, read, and understand both documents. This document will be placed in your counseling file. Please do not sign the document if you do not understand any part of the HIPAA Client's Rights or the Professional Disclosure Statement and Consent for Treatment. Your therapist will be happy to explain these documents further.