

# Notice of Privacy Practices

## Empowered Minds Counseling, PLLC

Effective Date: March 1, 2024

THIS NOTICE DESCRIBES HOW MEDICAL/HEALTH INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION.

PLEASE REVIEW IT CAREFULLY

Your Personal Health Information (PHI) is information about you created and received by Empowered Minds Counseling, PLLC, including demographic information, that may reasonably identify you and that relates to your past, present, or future physical or mental health condition, or payment for the provision of your health care. Empowered Minds Counseling, PLLC is required by law to maintain the privacy of your PHI, and adheres to the strictest privacy standards. You have the right to be informed and will receive notification from Empowered Minds Counseling, PLLC in the event of any breach of the security of your PHI.

Empowered Minds Counseling, PLLC is also required by law to provide you with this notice of our legal duties and privacy practices with respect to your PHI, as well as abide by the terms of the notice that is currently in effect. However, Empowered Minds Counseling, PLLC reserves the right to revise our privacy practices at any time, and in such an event, you will be provided with a revised copy of this privacy notice. In such an event, the new revised notice of privacy practices will apply to all of your PHI maintained by Empowered Minds Counseling, PLLC.

Empowered Minds Counseling, PLLC will ask you to sign a consent form that allows Empowered Minds Counseling, PLLC to use and/or disclose your PHI for treatment, payment, and healthcare operations. You will also be asked to sign a form acknowledging receipt of this privacy practices notice.

The following categories describe some of the ways Empowered Minds Counseling, PLLC may use and/or disclose your PHI. Empowered Minds Counseling, PLLC believes protecting client confidentiality and responsibly maintaining your individually identifiable health information and PHI are of the utmost importance, therefore, we will make all reasonable efforts to limit access to your PHI to those persons or classes of persons, as appropriate, in our workforce who need access to carry out their duties.

### How We May Use or Disclose your Protected Health Information (PHI):

-For treatment: Empowered Minds Counseling, PLLC may use and/or disclose your PHI to provide you with medical treatment and related services. With your written consent your PHI may be used to refer you to other providers or to send your records to another treating health care professional. If we are permitted to do so, Empowered Minds Counseling, PLLC may also disclose your PHI to individuals or facilities that will be involved with your care after you end treatment with Empowered Minds Counseling, PLLC, or for other treatment-related reasons. Empowered Minds Counseling, PLLC may also use and/or disclose your PHI in an emergency situation.

-For payment: Empowered Minds Counseling, PLLC may use and/or disclose your PHI to accurately bill and receive payment for the treatment and related services you receive. For billing and payment purposes, we may disclose your PHI to your payment source, including an insurance or managed care company,

Medicare, Medicaid, or another third party payer. This information may include diagnosis, dates of attendance, and treatment plans.

-For health care operations: Empowered Minds Counseling, PLLC may use and/or disclose your PHI as necessary for operations of the practice, such as quality assurance, medical review, legal services, auditing functions, and general administrative activities of Empowered Minds Counseling, PLLC.

-Business associates: Empowered Minds Counseling, PLLC may use some services provided by business associates; such as billing, accounting, or legal consultants. We may disclose your PHI so that they can perform the duties required of them by Empowered Minds Counseling, PLLC.

-Appointment reminders: Empowered Minds Counseling, PLLC may use and/or disclose your PHI to contact you as a reminder for your appointments with Empowered Minds Counseling, PLLC.

-Individuals involved in your care or payment for your care: Unless you object, Empowered Minds Counseling, PLLC may disclose your PHI to a family member, relative, close friend, or any other person you identify, if the information relates to the person's involvement in your healthcare, to notify the person of your location or general condition or payment related to your health care. In addition, Empowered Minds Counseling, PLLC may disclose your PHI to a public or private entity authorized by law to assist in a disaster relief effort. If you are unable to agree or object to such a disclosure, Empowered Minds Counseling, PLLC may disclose such information if we determine that it is in your best interest based on professional judgment, or if we reasonably infer that you would not object.

-Public health activities: Empowered Minds Counseling, PLLC may disclose your PHI to a public health authority that is authorized by law to collect or receive such information, such as: for the purpose of preventing or controlling disease, injury, or disability, reporting births, deaths, or other vital statistics, reporting child abuse or neglect, notifying a person who may have been exposed to a disease or may be at risk of contracting or spreading a disease or condition.

-Health oversight activities: Empowered Minds Counseling, PLLC may disclose your PHI to a health oversight agency for activities authorized by law, such as audits, investigations, inspections, licensure and disciplinary actions.

-Judicial and administrative proceedings: If you are involved in a lawsuit or dispute, Empowered Minds Counseling, PLLC may disclose your PHI in response to your signed Release of Information or a court or administrative order. We may also disclose your PHI in response to a subpoena, discovery request, or other lawful process if such disclosure is permitted by law.

-Law enforcement: Empowered Minds Counseling, PLLC may disclose your PHI for certain law enforcement purposes if permitted or required by law. For example, to report gunshot wounds, emergencies or suspicious deaths, to comply with a court order, warrant, or similar legal process, or to answer certain requests for information concerning crimes.

-To avert a serious threat to health or safety: Empowered Minds Counseling, PLLC may use and disclose your PHI when necessary to prevent a serious threat to your health or safety, or the health or safety of the public or another person. Any disclosure, however, would be to someone to be able to help prevent the threat.

-Coroners, medical examiners, funeral directors, organ procurement organizations: Empowered Minds Counseling, PLLC may release your PHI to a coroner, medical examiner, funeral director, or, if you are an organ donor, to an organization involved in the donation of organs and tissues.

-Military and National security: If required by law, if you are a member of the armed forces, Empowered Minds Counseling, LLC may use and disclose your PHI as required by military command authorities or the Department of Veterans Affairs. If required by law, we may disclose your PHI to authorized federal officials for the conduct of lawful intelligence, counter-intelligence, and other national security activities authorized by law. If required by law, we may disclose your PHI to authorized federal officials so they may provide protection to the President, other authorized persons, or foreign heads of state or conduct special investigations.

-Workers' compensation: Empowered Minds Counseling, PLLC may disclose your PHI as permitted by laws relating to workers' compensation or related programs.

### Special Rules Regarding Disclosure of Behavioral Health, Substance Abuse, and HIV-Related Information

For disclosures concerning PHI relating to care for psychiatric conditions, substance abuse, or HIV related testing and treatment, special restrictions may apply. For example, we generally may not disclose this specially protected information in response to a subpoena, warrant, or other legal process unless you sign a Release of Information or a court orders that disclosure.

- Behavioral health information: Certain behavioral health information may be disclosed for treatment, payment, and health care operations as permitted or required by law. Otherwise, Empowered Minds Counseling, PLLC will only disclose such information pursuant to an authorization, court order, or as otherwise required by law. For example, all communications between you and a psychologist, psychiatrist, social worker, and certain therapists and counselors will be privileged and confidential in accordance with State and Federal law.

- Substance abuse treatment information: If you are treated in a specialized substance abuse program, the confidentiality of alcohol and drug abuse related patient records is protected by Federal law and regulations. Generally, Empowered Minds Counseling, PLLC may not say to a person outside the practice that you are in treatment, or disclose any information identifying you as an individual being treated for drug and alcohol abuse unless you:

1. You consent in writing
2. This disclosure is allowed by a court order
3. This disclosure is made to medical personnel in a medical emergency or

to qualified personnel for research or audit.

Violation of these Federal laws and regulations by Empowered Minds Counseling, PLLC is a crime. Suspected violations may be reported to appropriate authorities in accordance with Federal regulation. \* Federal laws do not protect any information about a crime committed by a client at a substance abuse program, or against any person who works for the program, or about any threat to commit such a crime. Federal laws and regulations do

not protect any information about suspected child abuse or neglect from being reported under State law to appropriate State or local authorities.

- HIV-related information: Empowered Minds Counseling, PLLC may disclose HIV-related information as permitted or required by State law.

- Minors: Empowered Minds Counseling, PLLC will comply with State law when using or disclosing PHI of minors.

### Empowered Minds Counseling, PLLC may not use or disclose your protected health information:

Except as described in this notice, or as permitted by State or Federal law, we will not use or disclose your protected health information (PHI) without your written authorization indicated on a signed Release of Information Form provided to you by your therapist.

Your Release of Information will specify particular uses or disclosures that you choose to allow. If you do authorize Empowered Minds Counseling, PLLC to use or disclose your PHI for reasons other than treatment, payment, or health care operations, you may revoke your Release of Information in writing at any time by contacting Empowered Minds Counseling, PLLC. If you revoke your Release of Information, we will no longer use or disclose your PHI for the purposes covered by the authorization, except where Empowered Minds Counseling, PLLC has already relied on the authorization.

### Examples of uses and disclosures that require your authorization:

- Psychotherapy notes: A signed Release of Information is required for the use or disclosure of psychotherapy notes except for our own use to treat you, for training programs, and to defend Empowered Minds Counseling, PLLC in a legal action or other proceedings.

- Sale of protected health information: Empowered Minds Counseling, PLLC will not sell your PHI unless we receive a signed authorization from you.

- Uses and disclosures not described in this notice: Unless otherwise permitted by Federal or State law, other uses and disclosures of your protected health information (PHI) that are not described in this notice will be made only with your signed authorization.

### Your Health Information Rights

You have the following rights with respect to your PHI. The following briefly describes how you may exercise these rights.

1. Right to request restrictions of your PHI. Empowered Minds Counseling, PLLC must be notified of such a request in writing. Empowered Minds Counseling, PLLC has the right to uphold disclosure if safety or legal issues mandate the report of certain information to appropriate persons. If the restriction or termination of disclosures impedes ethical or appropriate care in the future, Empowered Minds Counseling, PLLC may choose to terminate your treatment and will help provide appropriate follow-up care with another provider if you would like assistance.

2. Right to receive an accounting of disclosures of PHI. Empowered Minds Counseling, PLLC must be notified of such a request in writing and you will be charged a fee of \$250 for the preparation of such information.

3. Right to obtain a paper copy of privacy notice.

4. Right to request transmission of your PHI in electronic format.

5. Right to complain: You may file a complaint with Empowered Minds Counseling, PLLC or the Secretary of Health and Human Services if you believe your privacy rights have been violated by Empowered Minds Counseling, PLLC. You will not be penalized or retaliated against for filing a complaint and we will make every reasonable effort to resolve your complaint with you.

6. Right to receive confidential communications. Empowered Minds Counseling, PLLC will make every effort to ensure confidential communication with you regarding any PHI. Any specific requests must be submitted in writing and you will be notified if the request is deemed unreasonable.

7. Right to access, inspect and copy your PHI. Empowered Minds Counseling, PLLC must be notified of such a request in writing and you will be charged a fee for the preparation of such information.

8. Right to amend your PHI. Empowered Minds Counseling, PLLC must be notified of any amendments in writing.

