

Smisson Psychology Services, P.A.

Therapy, Assessment, and Consultation

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TEXAS NOTICE FORM

Notice of Psychologists' Policies and Practices to Protect the Privacy of Your Health Information

THIS NOTICE DESCRIBES HOW YOUR PSYCHOLOGICAL AND MEDICAL INFORMATION MAY BE USED AND DISCLOSED AND HOW YOU CAN GAIN ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

I. Uses and Disclosures for Treatment, Payment, and Health Care Operations

Smisson Psychology Services may use or disclose your protected health information (PHI), for treatment, payment, and health care operations purposes with your consent. For example, Smisson Psychology Services may use PHI to consult with another health care provider, such as your family physician, another psychologist, or a psychiatrist. Smisson Psychology Services may also use or disclose information from your record to obtain payment for the services you receive or to use or disclose information from your record to allow "health care operations." These operations include quality assessment and improvement activities, business-related matters such as audits and administrative services, and case management and care coordination.

II. Uses and Disclosures Requiring Authorization

Smisson Psychology Services may use or disclose PHI for purposes outside of treatment, payment, and health care operations when your appropriate authorization is obtained. In those instances, an authorization (i.e., written permission above and beyond the general consent that permits only specific disclosures) will be obtained from you before releasing this information. An authorization before releasing your psychotherapy notes (i.e., notes made about our conversation during a private, group, joint, or family counseling session) will also be obtained, which will be kept separate from the rest of your medical record. These notes are given a greater degree of protection than PHI.

You may revoke all such authorizations (of PHI or psychotherapy notes) at any time, provided each revocation is in writing. You may not revoke an authorization to the extent that (1) Smisson Psychology Services has relied on that authorization; or (2) if the authorization was obtained as a condition of obtaining insurance coverage, and the law provides the insurer the right to contest the claim under the policy.

III. Uses and Disclosures with Neither Consent nor Authorization

Smisson Psychology Services may use or disclose PHI without your consent or authorization in the following circumstances:

- **Child Abuse:** If there is cause to believe that a child has been, or may be, abused, neglected, or sexually abused, Smisson Psychology Services must make a report of such within 48 hours to the Texas Department of Protective and Regulatory Services, the Texas Youth Commission, or to any local or state law enforcement agency.
- **Adult and Domestic Abuse:** If there is cause to believe that an elderly or disabled person is in a state of abuse, neglect, or exploitation, Smisson Psychology Services must immediately report such to the Department of Protective and Regulatory Services.
- **Health Oversight:** If a complaint is filed against me with the State Board of Examiners of Psychologists, they have the authority to subpoena confidential mental health information from me relevant to that complaint.
- **Judicial or Administrative Proceedings:** If you are involved in a court proceeding and a request is made for information about your diagnosis and treatment and the records thereof, such information is privileged under state law, and Smisson Psychology Services will not release information, without written authorization from you or your personal or legally appointed representative, or a court order. The privilege does not apply when you are being evaluated for a third party or where the evaluation is court-ordered. You will be informed in advance if this is the case.
- **Serious Threat to Health or Safety:** If it is determined that there is a probability of imminent physical injury by you to yourself or others, or there is a probability of immediate mental or emotional injury to you, Smisson Psychology Services may disclose relevant confidential mental health information to medical or law enforcement personnel.
- **Worker's Compensation:** If you file a worker's compensation claim, Smisson Psychology Services may disclose records relating to your diagnosis and treatment to your employer's insurance carrier.

IV. Patient's Rights and Psychologist's Duties

You have the right to request restrictions on certain uses and disclosures of PHI about you. However, Smisson Psychology Services is not required to agree to a restriction you request.

You have the right to request and receive confidential communications of PHI by alternative means and at alternative locations. For example, you may not want a family member to know that you are receiving psychotherapy or psychological evaluation services. Upon your request, Smisson Psychology Services will send your invoices to another address.

You have the right to inspect the information in your record, and may obtain a copy of it. This may be subject to certain limitations and fees. Your request must be in writing. On your request, Smisson Psychology Services will discuss with you the details of the request and denial process.

You have the right to request an amendment of PHI for as long as the PHI is maintained in the record. Smisson Psychology Services may deny your request. On your request, Smisson Psychology Services will discuss with you the details of the amendment process.

You generally have the right to receive an accounting of disclosures of PHI for which you have neither provided consent nor authorization (as described in Section III of this Notice). On your request, Smisson Psychology Services will discuss with you the details of the accounting process. You have the right to obtain a paper copy of the notice from Smisson Psychology Services upon request, even if you have agreed to receive the notice electronically.

Smisson Psychology Services is required by law to maintain the privacy of PHI and to provide you with a notice of my legal duties and privacy practices with respect to PHI. Smisson Psychology Services reserves the right to change the privacy policies and practices described in this notice. Unless you are notified of such changes, Smisson Psychology Services is required to abide by the terms currently in effect. If Smisson Psychology Services revises my policies and procedures, you will be notified in writing.

V. Questions and Complaints

If you have questions about this notice, disagree with a decision Smisson Psychology Services makes about access to your records, or have other concerns about your privacy rights, you may contact Dr. Hayes at 832-769-5594 or csmisson@gmail.com. If you believe that your privacy rights have been violated and wish to file a complaint to Dr. Hayes, you may send your written complaint to 1415 North Loop W, Suite 660D, Houston, TX 77008.

You may also send a written complaint to the Secretary of the U.S. Department of Health and Human Services, or to the Texas State Board of Examiners of Psychologists. You have specific rights under the Privacy Rule. Smisson Psychology Services will not retaliate against you for exercising your right to file a complaint.

VI. Effective Date, Restrictions and Changes to Privacy Policy

This notice went into effect on October 1, 2013.

Smisson Psychology Services reserves the right to change the terms of this notice and to make the new notice provisions effective for all PHI that is maintained. If this is done, a revised notice will be given to you in writing.