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Description of Privacy Policies

Below is a description of how I may use or disclose medical information about you, as well as how you can access the information in your medical records. Please review the information in this document carefully and be sure to ask for any necessary clarifications.

Summary

Confidentiality

All identifying information about you and your treatment is kept confidential. I will not release your records or any other information about you without your explicit written consent. There are some very limited circumstances when this rule does not apply. These are described below, under 'Exceptions to confidentiality' and elaborated later in this document.

I do not respond to inquiries or requests for information about my clients, regardless of whether they are written, via telephone or email, or personal. In order for me to release any information about you to another provider, you have to provide an explicit permission, in the form of a signed 'Release of Information' form.

Exceptions to confidentiality

The list below describes situations in which I am required by law to provide information without your permission or explicit consent:

- If you intend to hurt yourself, I am required to contact either a family member, a friend or other support person, or an authority who can assist in providing safety for you while you are a danger to yourself.
- If you threaten bodily harm to someone else, I am required to tell the intended victim and/or to inform the police.
- If a court of law issues a subpoena regarding your case or your records, I am required to provide the information specifically described in the subpoena.
- If you reveal information regarding child abuse or neglect, or abuse of a vulnerable adult, I am required to report this to the appropriate authorities.

General Privacy Policies

What is ‘medical information’?

Whenever you visit a healthcare provider’s office, whether a private office, a clinic or a hospital, some information is collected about your physical and/or mental health. This may include any of the following: current or previous health conditions, tests and results, and treatment administered and the results. This information is referred to as “protected health information” or PHI for short. This information is part of your medical records. For purposes of psychotherapy, PHI includes information about your history, both family history as a child, and history of your adult life, including relationship history, your education and work experience, prior psychotherapy, including any inpatient treatment, current problems and symptoms, and the reasons why you are seeking therapy, your diagnosis, the treatment plan we develop together, and progress notes that describe each session. Your PHI also includes any records I may receive from other providers, with your consent; for example, psychological test scores, school records, information about any medications you may be taking, relevant legal matters, as well as billing and insurance information.

How is PHI used?

PHI is used to plan your care and treatment, to evaluate how well the treatment is working, to communicate with other healthcare providers involved in your care to ensure coordinated care (with your explicit permission and written consent), and to communicate with your insurance company as necessary (for example, to obtain authorization for additional sessions and to obtain payments for my services).

How can you obtain access to your records?

You have the right to view your records. The physical records I keep in my office are my physical property, but the information contained in those records belongs to you. You can view this information at any time. If you want a copy, I can make a copy of your records. I may charge you for the costs of copying and mailing your records to you. You have the right to ask me to correct anything in your records that you think is incorrect or inaccurate, or to add relevant information you think is missing, by amending (“adding to”) the existing records.

What is HIPAA?

HIPAA stands for “Health Insurance Portability and Accountability Act”. HIPAA was enacted in 1996 to protect consumers’ health records. It is a federal law which requires all healthcare providers to inform their clients/patients about HIPAA, to keep the clients’ / patients’ PHI private, and to provide you with this notice of privacy policies.

Should something change in my privacy policies, I will provide you with an updated copy. You or anyone else can request a copy of my privacy policies at any time.

How is PHI used and shared?

With the exception of very specific circumstances (the ‘Exceptions to Confidentiality’ summarized above, and further described below) it is my policy to disclose the minimum necessary information when disclosing any part of your PHI to any other provider or to your insurance company. The law gives you the right to know about your PHI, how it is used, and to have a say in what information is shared and how. In most circumstances when your information may be shared, your written consent is required. In some circumstances, I may be mandated by the law to disclose some information about you without your consent. These circumstances are explained below.

Uses and disclosures of your PHI with your consent

After you have read this description of privacy policies, you will be asked to sign a separate consent form, that will allow me to use and share your PHI for routine purposes. ‘Routine purposes’ here means: obtaining authorization for additional sessions from your insurance company, if necessary, and obtaining payment for my services from your insurance company. In order for me to provide psychotherapy services to you, you have to agree to let me collect the relevant information, use it, and share it as described in this document, in order for me to care for you properly.

Uses and disclosures of your PHI that require explicit authorization

These include sharing the relevant PHI with your PCP or other healthcare providers involved in your care, including possibly other mental healthcare providers. If you wish for me to share some of your PHI, I will ask you to sign a “Release of Information” form. You will never be required to sign this form. If you do sign it, there is typically a time limit (for example, you may authorize the release of information within a specific period of time, such as 1 or 2 months). You may also cancel your permission at any point, for any reason. (Of course, I cannot take back any information already disclosed to another provider with your permission.) Similarly, if you wish me to obtain existing PHI from another provider, you will need to sign an associated “Release of Information” form.

Uses and disclosures of your PHI that do not require your consent or authorization

There are federal, state and local laws that require me to disclose some types of your PHI without your consent or authorizations in some very specific cases. These are outlined below.

- (a) I am required by law to report suspected child or elder abuse.
- (b) If you are involved in a lawsuit or legal proceeding, and if I receive a subpoena, discovery request, or other legal request, I may be required to release some of your PHI. I would only do this after making you aware of the request, consulting with your lawyer, or trying to get a court order to protect the information requested.

(c) If I come to believe that there is a serious threat to your health or safety, or to the health and safety of another person or the public, I can disclose some of your PHI. I would only disclose the relevant information to the person(s) who can prevent the danger.

An accounting of information disclosures

When your PHI is disclosed, I will generally keep a record of the following: date, to whom the information was disclosed, and the information disclosed. You have the right to see these records.

Grievances and complaints

You have the right to file a complaint if you believe that your privacy rights have been violated. You can file a formal complaint with me and with the Secretary of the US Department of Health and Human Services. All complaints must be in writing.

If you have any questions about these policies, please do not hesitate to address these with me.