

**KRISTEN M. WHITE, PSY.D.**  
Licensed, Clinical Psychologist  
(CA - PSY24744; OR - 2856)  
(503) 714-5479 or (714) 759-4673  
kristen@kristenmwhite.com

### **Notice of Privacy Practices**

The following paragraphs outline how the Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) affects how records are kept and managed. The services clients receive in therapy concern their psychological status, a most private and intimate component of their life. Therefore, protecting their privacy is of utmost importance. The ensuing paragraphs explain how, when and why Dr. White may use and/or disclose client records, which are known under the HIPAA legislation as "Protected Health Information" (PHI). PHI consists of individually identifiable information about clients' past, present, or future health or condition and the provision of and payment for health care to them. For psychotherapy services, PHI is typically limited to basic billing information and treatment records, placed in a file in Dr. White's office and/or on her computer. Dr. White may also receive PHI from other sources (e.g., other health care providers, attorneys, etc.). Clinical notes taken after sessions are known as Psychotherapy Notes and are not part of a client's PHI. Clients and their PHI receive certain protections under the law. Except in specified circumstances, Dr. White will not release a client's PHI to anyone. When disclosure is necessary under the law, Dr. White will only use and/or disclose the minimum amount of PHI necessary to accomplish the purpose of the use and/or disclosure.

#### **Disclosure and Authorization Details:**

In accordance with the HIPAA act and its Privacy Rule (Rule), PHI may be used and disclosed for a variety of reasons. These consist of the following:

1. *Uses and disclosures related to treatment, payment, health care operation, and safety/legal issues that do not require a client's prior written consent*

Dr. White may use and disclose PHI without client consent for the following reasons:

- a) For treatment: Dr. White might conceivably use and/or disclose client PHI to psychologists, psychiatrists, physicians, nurses, and other health care personnel involved in providing health care services to them. Dr. White will make every attempt to receive a client's specific Authorization prior to disclosing his/her PHI to these health care providers. However, a specific Authorization might not be obtained, nor is required in all cases, such as a medical emergency.
- b) For payment: Dr. White may use and/or disclose a client's PHI for billing and collection activities without his/her specific Authorization.
- c) For health care operations: Dr. White may use and/or disclose a client's PHI in the course of operating the various business functions of her office. For example, she may use and/or disclose a client's PHI to a secretary without a client's Authorization.
- d) For safety or legal issues: Federal or state law require that Dr. White reports information for:
  - i) **Reporting abuse, neglect or domestic violence:** Dr. White may use and/or disclose a client's PHI in cases of suspected abuse, neglect, or domestic violence including reporting the information to social service agencies.
  - ii) **To avert a serious threat to health or safety:** Dr. White may use and/or disclose a client's PHI in order to avert a serious threat to health or safety. For example, if Dr. White believed a client was at imminent risk of harming a person or property, or of hurting him/herself, she may disclose PHI to prevent such an act from occurring.

- iii) **Lawsuits and other legal actions:** In connection with lawsuits or other legal proceedings, Dr. White may disclose a client's PHI in response to a court or administrative order, or in response to a subpoena, discovery request, warrant, summons or other lawful process.
- iv) **Health oversight:** If a complaint is filed against Dr. White with the California Board of Psychology, the Board has the authority to request confidential mental health information from the therapist relevant to that complaint.

*2. Other uses and disclosures require prior written authorization.*

For most other uses and/or disclosures of a client's PHI, he/she will be asked to grant his/her permission via a signed Authorization, which is a separate form. Even if a client has signed an Authorization to disclose his/her PHI, he/she may later revoke that Authorization, in writing, to stop any future uses and disclosures of his/her PHI by Dr. White.

**Client Individual Privacy Rights:**

*1. The right to inspect and copy.*

In general, clients have the right to view their PHI that is in Dr. White's possession or to obtain copies of it. They must request it in writing. If they request inspection, Dr. White will make available their PHI for inspection within 5 working days of receiving the written request. If they request copies, Dr. White will provide copies of their PHI within 15 days of receiving the written request. Under certain circumstances, such as if Dr. White fears the information may be harmful to the client, she may deny the request. If the request is denied, Dr. White will provide a reason for the denial in writing; she will also explain that the client has the right to have her denial reviewed. If clients ask for copies of their PHI, Dr. White will charge them not more than \$.25 per page. She may see fit to provide them with a summary or explanation of the PHI, but only if they agree in advance to it, as well as to the cost.

*2. The right to request restrictions.*

Clients have the right to request a restriction or limitation on the PHI Dr. White uses or discloses for treatment, payment, or health care operations. They also have the right to request a limit on the PHI she discloses about them to someone who is involved in their care or the payment for their care, such as a family member or friend. For example, a client could ask that Dr. White not use or disclose information to a family member who paid for his/her care. To request a restriction, clients must make their request in writing. While Dr. White will consider all requests, she is not legally bound to agree. If she does agree to the request, she will put those limits in writing and abide by them except in emergency situations. Clients do not have the right to limit the uses and disclosures that Dr. White is legally required or permitted to make.

*3. The right to confidential communications.*

Clients have the right to request that Dr. White communicate with them about their PHI in a certain way or at a certain location. She will accommodate all reasonable requests.

*4. The right to get a list of disclosures Dr. White has made.*

Clients are entitled to a list of disclosures of their PHI that Dr. White has made, particularly those she has made without their consent. Clients must submit their request in writing. Dr. White will respond to requests for an accounting of disclosures within 60 days of receiving the request. The list she provides will include disclosures made in the previous six years, including the date of the disclosure, to whom PHI was disclosed (including their address if known), a description of the information disclosed, and the reason for the disclosure. Dr. White will provide the list to clients at no cost, unless they make more than one request in the same year, in which case she will charge a reasonable fee for each additional request.

*5. The right to request an amendment or addendum.*

If clients believe that there is some error in their PHI or that important information has been omitted, they have the right to request that Dr. White correct the existing information or add the missing information. To request an amendment or addendum, clients must make requests in writing. In addition, clients must provide a reason that supports their request. They will receive a response within 60 days of Dr. White's receipt of the request. She may deny the request, in writing, if she find that the PHI is: (1) correct and complete; (2) forbidden to be disclosed; (3) not part of her records; or (4) not created by her.

*6. The right to get a paper copy of this Notice.*

Clients have a right to a paper copy of this Notice. They may ask Dr. White to give them a copy of this Notice at any time. Even if they have agreed to receive this Notice electronically, they are still entitled to a paper copy of this Notice.

**Questions and Complaints:**

For questions regarding the HIPAA Privacy Rule, please visit the U.S. Department of Health & Human Services website: <http://www.hhs.gov/ocr/privacy/>

If a client believes that Dr. White may have violated his/her individual privacy rights, or if he/she objects to a decision she made about access to PHI, he/she is entitled to file a complaint by submitting a written complaint to Dr. White. The written complaint must describe the acts and/or omissions the client believes to be in violation of the Rule or the provisions outlined in this Privacy Practices section. If the client prefers, he or she may file a written complaint with the Secretary of the U.S. Department of Health and Human Services (Secretary) at 200 Independence Avenue S.W., Washington, D.C., 20201. However, any complaint the client files must be received by Dr. White, or filed with the Secretary, within 180 days of when the client knew, or should have known, that the act or omission occurred. Dr. White will take no retaliatory action against a client who makes such complaints.

**THE REST OF THIS PAGE IS LEFT INTENTIONALLY BLANK**