

# **HIPAA PRIVACY STATEMENT**

## **NOTICE OF PRIVACY PRACTICES**

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.

At Marsh Landing Behavioral Group (MLBG), we are committed to keeping your protected health information (PHI) confidential. This Notice of Health Information Practices is required by law and describes how and when we use or disclose your protected personal health information. It also describes your rights and our legal obligations with respect to your medical information. Disclosure may occur without your authorization for purposes of treatment, payment, and health care operations. We are required by law to maintain the privacy of protected health information and to provide individuals with notice of our legal duties and privacy practices with respect to protected health information. If you have any questions about this Notice of Privacy Practices, please contact our Privacy Officer.

## **WHAT IS PHI?**

PHI is defined as any health information created or received by a health care provider that: (1) identifies an individual; **and** (2) relates to that individual's past, present, or future physical or mental health condition or payment for health care services. Protected health information includes information in any form or medium, from a paper medical record to a conversation between consulting providers on the care of a patient.

[www.floridahealth.gov](http://www.floridahealth.gov)

Marsh Landing Behavioral Group collects health information (PHI) and stores it in an electronic health medical record system known as an (EHR) Electronic Health Record. This electronic health record is the property of MLBG, but the PHI that is stored in the record belongs to the patient.

## **AUTHORIZATION TO DISCLOSE**

Marsh Landing Behavioral Group will disclose a patient's PHI when a signed release has been received by the individual patient or guardian giving permission for disclosure to a specified individual(s) and/or entities. Patient's also have the option to give consent to receive appointment reminders via phone calls, text messages or email. PHI may be left on either one of these methods for appointment reminders.

## **WHEN AN AUTHORIZATION TO DISCLOSE IS NOT REQUIRED**

In most legal proceedings, the patient has the right to prevent any PHI from being released. In some proceeding involving child custody and those in which your emotional conditions are an important issue, a judge may subpoena, court order, warrant or other court or law enforcement orders for your medical records

There are some situations in which your mental health provider is legally obligated to take action to protect others from harm, even if it means revealing information about a patient's treatment. For example, if there is

a concern that a child, elderly person or disabled person is being abused, a report must be filed with the appropriate agency.

If there is a reason to believe that a person is threatening serious bodily harm to oneself or another, we are required to take protective action. These actions may include notifying the potential victim, contacting the police, or seeking hospitalization for him/her, contacting family members or others who can help provide protection.

We may disclose PHI in the event of your death or in disaster situations.

These situations have rarely occurred in our practice. If a situation should occur, every effort will be made to fully discuss it with you, before taking the appropriate action.

In all other cases, MLBG will never acknowledge that you are a patient here. Each physician and therapist at MLBG keeps separate professional/medical records, but if you are seeing more than one professional at MLBG, our team will communicate with the other about your treatment. We believe this benefits you by improving our ability to coordinate care. However, you may revoke your consent of this by notifying us of your wishes in writing.

### **MINORS**

All members of the family, including children and adolescents can expect their privacy to be protected except in the circumstances described above. However, parents/legal guardians may have a legal right to see a minor's treatment records. Before giving parents/legal guardians this information, the minor's physician or therapist will discuss the matter with the patient if possible, addressing any objections the patient may have. We may deny access to records if we believe that it may be harmful or endanger the minor. As previously noted, confidentiality will be suspended and the parents notified if the minor patient is deemed dangerous to himself or to someone else. It is imperative that a signed and notarized copy of a power attorney is on file with MLBG if a minor child is accompanied to appointments without a legal guardian. We require that the minor child be accompanied by a legal guardian at all appointments.

### **RIGHTS TO YOUR RECORDS**

You are entitled to a copy of your records, or a summary thereof, unless your physician or therapist believes that access to those records would be emotionally damaging to you (for example, if your physician or therapist believes that medical terms used in records would be misinterpreted by a non-clinician or could be used against you that could be damaging to your mental health). In this event, we recommend that you review your records with a mental health professional who can clarify any information you don't readily understand. We will furnish your records to a mental health professional of your choice. Patients will be charged an appropriate fee for copies of records. You can ask us in writing to correct health information that you think is incomplete or inaccurate. You may also at anytime, ask us in writing for a list of who we have shared your health information with within the past seven years.