***New Beginnings Family Counseling Services, Inc***

911 E Jefferson St. Charlottesville, VA 22902 434-984-0023

***Notice of Privacy Practices***

**Please review this notice carefully.**

**This notice describes how medical information about you may be used and disclosed and how you can get access to this information.**

**Your health record contains personal information about you and your health. This information about you that may identify you and that relates to your past, present or future physical, mental health or condition and related health care services is referred to as Protected Health Information - “ PHI”. This Notice of Privacy Practices describes how we may use and disclose your PHI in accordance with applicable law, including the Health Insurance Portability and Accountability Act- “HIPPA”, regulations promulgated under HIPAA including the HIPAA Privacy and Security Rules and the *LPC Code of Ethics*. It also describes your rights regarding how you may gain access to and control your PHI.**

**We are required by law to maintain the privacy of PHI and to provide you with notice of our legal duties and privacy practices with respect to PHI. We are required to abide by the terms of this Notice of Privacy Practices. We reserve the right to change the terms of our Notice of Privacy Practices at any time. Any new Notice of Privacy Practices will be effective for all PHI that we maintain at that time. We will provide you with a copy of the revised Notice of Privacy Practices by posting a copy of the revised Notice of Privacy Practices on our website, sending a copy in the mail upon request or providing one to you at your next appointment when requested.**

**HOW WE MAY USE AND DISCLOSE HEALTH INFORMATION ABOUT YOU- Confidentiality and Limits to Confidentiality**

For Treatment: your PHI may be used and disclosed by those who are involved in your care for the purpose of providing, coordinating or managing your health care treatment and related services. This includes consultation with clinical supervisors or other treatment team members. We may disclose PHI to any other consultant only with your authorization.

For Payment: We may use and disclose PHI so that we can receive payment for the treatment services provided to you. This will only be done with your authorization. Examples of payment related activities are: making a determination of eligibility or coverage for insurances benefits, processing claims with your insurance company, reviewing services provided to you to determining medical necessity, or undertaking utilization review activities. If it becomes necessary to use collection processes due to lack of payment for services, we will only disclose the minimum amount of PHI necessary for purposes of collection.

For Health Care Operations: We may use or disclose, as needed, your PHI in order to support our business activities including but not limited to: quality assessment activities, review activities from licensing or other business activities such as billing, provided that we have a written contract with the business that requires it to safeguard the privacy of your PHI.

Required by Law: Under the law, we must disclose your PHI to you upon your request. In addition, we must make disclosures to the Secretary of the Department of Health and Human Services for the purpose of investigating or determining our compliance with the requirements of the Privacy Rule.

Limits of Confidentiality -Without Authorization: Applicable law and ethical standards permit us to disclose information about you without your authorization, only in a limited number of situations. As a counselor licensed in this state, it is our practice to adhere to more stringent privacy requirements for disclosures without an authorization. The following language addresses these categories to the extent consistent with the Virginia Department of Health Professions (LPC) Code of Ethics and HIPAA:

Child Abuse or Neglect: We may disclose your PHI to a state or local agency that is authorized by law to receive reports of child abuse or neglect.

Judicial and Administrative Proceedings: We may disclose your PHI pursuant to a subpoena (with your written consent), court order, administrative order or similar process.

Public Safety: We may disclose your PHI if necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public. If information is disclosed to prevent or lessen a serious threat it will be disclosed to a person(s) reasonably able to prevent or lessen the threat, including the target of the threat.

Medical Emergencies: We may use or disclose your PHI in a medical emergency situation in order to prevent serious harm to self or others.

Family Involvement in Care: We may disclose information to close family members or friends directly involved in your treatment based on your consent or as necessary to prevent serious harm to self or others.

Law Enforcement: We may disclose PHI to a law enforcement official as required by law, in compliance with a subpoena (with your written consent), court order, administrative order or similar document, for the purpose of identifying a suspect, material witness or missing person, in connection with the victim of a crime, in connection with a deceased person, in connection with the reporting of a crime in an emergency or in connection with a crime on the premises.

Deceased Patients: We may disclose PHI regarding deceased patients as mandated by state law, or to a family member or friend that was involved in your care or payment for care prior to death, based on your prior consent. A release of information regarding deceased clients may be limited to an executor or administrator of a deceased person’s estate or the person identified as next-of-kin. PHI of persons that have been deceased more than fifty years in not protected under HIPAA.

Health Oversight: If required, we may disclose PHI to a health oversight agency for activities authorized by law, such as audits, investigations, and inspections. Oversight agencies seeking this information include government agencies and organizations that provide financial assistance to the program (such as third-party payors based on your prior consent) and peer review organizations performing utilization and quality control.

Specialized Government Functions: We may review requests from US military command authorities if you have served as a member of the armed forces, authorized officials for national security and intelligence reasons and to the Department of State for medical suitability determinations, and disclose your PHI based on your written consent, mandatory disclosure laws and the need to prevent serious harm.

Public Health: If required, we may use or disclose your PHI for mandatory public health activities to a public health authority authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, or if directed by a public health authority, to a government agency that is collaborating with that public health authority.

Verbal Permission: We may also use or disclose your information to family members that are directly involved in your treatment with your verbal permission.

With Authorization: Uses and disclosures not specifically permitted by applicable law will be made only with your written authorization, which may be revoked at any time, except to the extent that we have already made a use or disclosure based upon your authorization.

**YOUR RIGHTS REGARDING YOUR PHI:**

You have the following rights regarding PHI that New Beginnings maintains about you. To exercise any of these rights, please submit your request in writing to Frances Greenstein, LPC, New Beginnings Family Counseling Services, Inc.

Right of Access to Inspect and Copy: You have the right, which may be restricted only in exceptional circumstances, to inspect and copy PHI that is maintained in a “designated record set”. A designated record set contains mental health/medical and billing records, and other records that are used to make decisions about your care. Your right to inspect and copy PHI will be restricted only in those situations where there is compelling evidence that access would cause serious harm to you or if the information is contained in separately maintained psychotherapy notes. We may charge a reasonable, cost- based fee for copies.

Right to Amend: If you feel that the PHI on file is incorrect or incomplete, you may ask us to amend the information although we are not required to agree to the amendment. We may prepare a rebuttal to your statement and will provide you with a copy.

Right to Request Restrictions: You have the right to request a restriction or limitation on the use or disclosure of your PHI for treatment, payment or health care operations. We are not required to agree to your request unless the request is to restrict disclosure of PHI to health plan for purposes of carrying out payment or health care operations, and the PHI pertains to a health care item or service that you paid for out of pocket. In that case, we are required to honor your request for a restriction.

Right to Request Confidential Communication: You have the right to request that we communicate with you about health matters in a certain way or at a certain location. We will accommodate reasonable requests. We may require information for accommodating your request. We will not ask you for an explanation of why you are making the request.

Right to Breach Notification: If there is a breach of unsecured PHI concerning you, we may be required to notify you of this breach, including what happened and what you can do to protect yourself.

Right to a copy of this Notice: You have the right to a copy of this notice.

Complaints

If you believe your privacy rights have been violated, you have the right to file a complaint in writing with the Secretary of Health and Human Services, Washington, DC. To file a complaint with New Beginnings, contact Frances Greenstein at 911 E Jefferson St. Charlottesville, VA. There will be no retaliation against you for filing a complaint.

Revision date of Notice of Privacy Practices, February 18, 2023