



## **NOTICE OF PRIVACY PRACTICES PSYCHIATRY ADDENDUM**

**THIS ADDENDUM NOTICE DESCRIBES HOW PSYCHIATRIC OR MENTAL HEALTH INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED, AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. THIS ADDENDUM NOTICE IS PART OF THE “NOTICE OF PRIVACY PRACTICES” THAT APPLIES TO YOUR OTHER HEALTH INFORMATION.**

**PLEASE REVIEW THIS ADDENDUM AND THE NOTICE OF PRIVACY PRACTICES CAREFULLY.**

If you have any questions about this Notice, please contact the Center’s Privacy Manager, Melissa Mitchell, at (219) 465-9503; or the Center’s Executive Director, Beth Wrobel, at (219) 465-9500.

### **CONFIDENTIALITY OF PSYCHIATRIC OR MENTAL HEALTH RECORDS**

The confidentiality of your psychiatric or mental health records maintained by the Center gets special protection under federal and state laws. We may, however, disclose psychiatric or mental health information that identifies you without your Authorization in the following circumstances:

- **DISCLOSURE AT YOUR REQUEST.** We may disclose health information when requested by you. This disclosure at your request may require a written Authorization by you.
- **FOR TREATMENT.** We may use your psychiatric/mental health information to provide you with medical treatment or services. We may disclose your psychiatric information to health care professionals outside this facility only if they are responsible for your physical or mental health.
- **FOR PAYMENT.** We may use or disclose your psychiatric/mental health information to substantiate or collect on a claim for mental health treatment or services you receive at the Center.
- **FOR HEALTH CARE OPERATIONS.** We may use and disclose psychiatric/mental health information about you for our health care operations activities. These uses and disclosures are necessary to operate the Center efficiently and make sure that all of our patients receive quality care.

### **ADDITIONAL USES AND DISCLOSURES OF MENTAL HEALTH INFORMATION INCLUDE:**

- **AS REQUIRED BY LAW.** We will disclose health information about you when required to do so by federal, state or local laws or regulations.

- **FOR LEGAL PROCEEDINGS AND DISPUTES.** If you are involved in a judicial or administrative legal proceeding (lawsuit or a dispute), we may disclose psychiatric/mental health information about you in response to a court or administrative order or when such disclosure is otherwise required or permitted by law. For example, we may disclose psychiatric or mental health information to courts, attorneys and court employees in the course of conservatorship, and certain other judicial or administrative proceedings. We may also disclose mental health information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request (which may include written notice to you) or to obtain an order protecting the information requested.
- **FOR RESEARCH.** We may disclose your psychiatric/mental health information to researchers who request it for approved medical research projects; however, such disclosures must be cleared through a special approval process before any information is disclosed to the researchers who will be required to safeguard the information they receive.
- **TO AVERT A SERIOUS THREAT TO HEALTH OR SAFETY.** We may use and disclose health information about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. For example, we may notify emergency response personnel about a possible exposure to Acquired Immune Deficiency Syndrome (“AIDS”) and/or the Human Immunodeficiency Virus (“HIV”). Any such disclosure, however, would only be to the extent required or permitted by federal, state or local laws and regulations.
- **TO LAW ENFORCEMENT.** We may disclose your psychiatric/mental health information to law enforcement personnel in limited and specific circumstances. For example, we may disclose psychiatric information to law enforcement if your provider determines that there is a probability of imminent physical injury by a patient (to himself/herself or to another person). In addition, we may disclose your psychiatric/mental health information if a crime has been committed by a patient at the Center.
- **TO GOVERNMENT AGENCIES.** We may disclose your psychiatric/mental health information to notify the appropriate government agency when required or authorized by law (for example, if we believe that a patient has been the victim of abuse or neglect).
- **TO HEALTHCARE OVERSIGHT AGENCIES.** We may disclose your psychiatric/mental health information to healthcare oversight agencies to ensure that we are meeting the standards of care and services and that we are complying with the applicable laws and regulations. We will only make this disclosure when required or authorized by law.
- **SPECIAL CATEGORIES OF HEALTH INFORMATION.** In some circumstances, your health information may be subject to additional restrictions that may limit or preclude some uses or disclosures described in this Notice or Privacy Practices. For example, there are special restrictions on the use and/or disclosure of certain categories of health information. For example, (1) AIDS treatment information and HIV tests results; (2) treatment for mental health conditions and psychotherapy notes (*see* discussion, below); (3) alcohol, drug abuse and chemical dependency treatment information; and/or (4) genetic information, are all subject to special restrictions. In addition, Government

health benefit programs, such as Medicare or Medicaid, may also limit the disclosure of patient information for purposes unrelated to the program.

- **PSYCHOTHERAPY NOTES.** Psychotherapy notes are notes recorded (in any medium) by a health care provider who is a mental health professional documenting or analyzing the contents of conversation during a private counseling session or a group, joint, or family counseling session and that are separated from the rest of the individual's medical record.

Psychotherapy notes exclude: (a) medication prescription and monitoring; (b) counseling session start and stop times; (c) the modalities and frequencies of treatment furnished; (d) results of clinical tests; and (e) any summary of the following items: diagnosis, functional status, the treatment plan, symptoms, prognosis, and progress to date.<sup>1</sup> We may use or disclose your psychotherapy notes, for treatment, payment or healthcare operations, or:

1. for use by the originator of the notes;
2. in supervised mental health training programs for students, trainees, or practitioners;
3. by the Covered Entity to defend a legal action or other proceeding brought by the individual;
4. to prevent or lessen a serious and imminent threat to the health or safety of a person or the public;
5. for the health oversight of the originator of the psychotherapy note;
6. for use or disclosure to coroner or medical examiner to report a patient's death, and information related to the diagnosis and treatment of the patient's physical condition;
7. for use or disclosure necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public;
8. for use or disclosure to the Secretary of the U.S. Department of Health and Human Services ("HHS") in the course of an investigation; and/or
9. as required by law.

Generally, we will not tell anyone outside the Center that you are being treated by the Center for a psychiatric or mental health issue.

Other uses and disclosures of your psychiatric or mental health information not covered by this Notice of Privacy Practices, Psychiatric Addendum or the laws that apply to us will be made only with your written Authorization.

Please see the general Notice of Privacy Practices for information on revoking an Authorization for the Use or Disclosure of Health Information. Your rights regarding your health information outlined in the general Notice of Privacy Practices also apply to your psychiatric/ mental health information.

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<sup>1</sup> 45 C.F.R. § 164.501.