



Espérance Counseling, LLC

Espérance Counseling, LLC Office Policy on HIPAA & Immigration Protections

Commitment to Privacy & Confidentiality

At Espérance Counseling, LLC, we are committed to **protecting the privacy and confidentiality** of all clients, including individuals navigating immigration-related concerns. Our office operates under the strict guidelines of the **Health Insurance Portability and Accountability Act (HIPAA) of 1996**, which ensures the privacy and security of all protected health information (PHI).

Non-Cooperation with Immigration Enforcement – No ICE Access

Espérance Counseling, LLC, is a **safe and confidential space** for all clients, regardless of immigration status. We **do not** share client information with immigration agencies, including but not limited to U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP). Our office is designated as a **NO ICE ACCESS** facility, meaning immigration enforcement officials are not permitted entry without a valid warrant. Our practice adheres to the following legal protections:

1. **HIPAA Compliance (45 CFR Parts 160 & 164)** – Under federal law, we must safeguard all protected health information (PHI). No health records will be disclosed without the client's explicit written consent, except under circumstances required by law (e.g., court orders or mandated reporting).
2. **The Privacy Rule (45 CFR § 164.502)** – This rule limits the disclosure of PHI without client authorization. It prohibits sharing health records with external agencies, including immigration authorities, unless legally mandated by a court.
3. **Colorado State Law (CRS § 25-1-801, et seq.)** – Our practice follows state-specific privacy laws that further reinforce the confidentiality of health records and ensure client protections.
4. **Sensitive Locations Policy (DHS Memo 2021)** – The U.S. Department of Homeland Security (DHS) has designated healthcare facilities as "sensitive locations," meaning immigration enforcement actions are generally restricted from occurring at or near our office.

Client Rights & Confidentiality Protections

- Clients have the right to **access and control** their health records under HIPAA regulations.
- No information regarding a client's immigration status will be documented, disclosed, or shared with any outside entity, including government agencies, without explicit consent.



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- We do **not** respond to inquiries from immigration authorities without a legal warrant or subpoena that complies with HIPAA and state confidentiality laws.

Creating a Safe & Supportive Environment

- Our office prioritizes a **welcoming, non-discriminatory, and judgment-free space** for all clients, regardless of immigration status.
- Staff members are trained to **handle sensitive immigration-related concerns** with discretion and confidentiality.
- In case of an inquiry from law enforcement or immigration authorities, we will follow **legal and due process** and protect our client's rights under HIPAA and applicable laws.

If You Have Concerns

If you have any concerns regarding your privacy or feel your rights may be at risk, we encourage you to speak with our office directly. We are dedicated to ensuring a **safe, private, and supportive environment** for all individuals seeking care.

This policy is effective immediately and applies to all Espérance Counseling, LLC clients and staff.

Brenda Blanco, MA, LPC, NCC

Pronouns: She, Hers, Ella

Licensed Professional Counselor

Founder

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