



## **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**

Insightful Counseling LLC is committed to protecting your privacy. Insightful Counseling LLC is required by federal law to maintain the privacy of Protected Health Information (“PHI”), which is information that identifies or could be used to identify you. Insightful Counseling LLC is required to provide you with this Notice of Privacy Practices (this “Notice”), which explains Insightful Counseling LLC legal duties and privacy practices and your rights regarding PHI that we collect and maintain.

### **YOUR RIGHTS**

Your rights regarding PHI are explained below. To exercise these rights, please submit a written request to Insightful Counseling LLC at the address noted below.

To inspect and copy PHI.

- You can ask for an electronic or paper copy of PHI. Insightful Counseling LLC may charge you a reasonable fee.
- Insightful Counseling LLC may deny your request if it believes the disclosure will endanger your life or another person's life. You may have a right to have this decision reviewed.

To amend PHI.

- You can ask Insightful Counseling LLC to correct PHI you believe is incorrect or incomplete. Insightful Counseling LLC may require you to make your request in writing and provide a reason for the request.
- Insightful Counseling LLC may deny your request. Insightful Counseling LLC will send a written explanation for the denial and allow you to submit a written statement of disagreement.

To request confidential communications.

- You can ask Insightful Counseling LLC to contact you in a specific way. Insightful Counseling LLC will say “yes” to all reasonable requests.

To limit what is used or shared.

- You can ask Insightful Counseling LLC not to use or share PHI for treatment, payment, or business operations. Insightful Counseling LLC is not required to agree if it would affect your care.
- If you pay for a service or health care item out-of-pocket in full, you can ask Insightful Counseling LLC not to share PHI with your health insurer.
- You can ask for Insightful Counseling LLC not to share your PHI with family members or friends by stating the specific restriction requested and to whom you want the restriction to apply.

To obtain a list of those with whom your PHI has been shared.

- You can ask for a list, called an accounting, of the times your health information has been shared. You can receive one accounting every 12 months at no charge, but you may be charged a reasonable fee if you ask for one more frequently.

To receive a copy of this Notice.

- You can ask for a paper copy of this Notice, even if you agreed to receive the Notice electronically.

To choose someone to act for you.

- If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights.

To file a complaint if you feel your rights are violated.

- You can file a complaint by contacting Insightful Counseling LLC using the following information:

Insightful Counseling LLC  
190 Central Park Square  
Suite 307  
Los Alamos NM 87544  
Laura Woodring LPCC  
505-303-0292

- You can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 1-877-696-6775, or visiting [www.hhs.gov/ocr/privacy/hipaa/complaints/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/).
- Insightful Counseling LLC will not retaliate against you for filing a complaint.

To opt out of receiving fundraising communications.

- Insightful Counseling LLC may contact you for fundraising efforts, but you can ask not to be contacted again.

## OUR USES AND DISCLOSURES

### 1. Routine Uses and Disclosures of PHI

Insightful Counseling LLC is permitted under federal law to use and disclose PHI, without your written authorization, for certain routine uses and disclosures, such as those made for treatment, payment, and the operation of our business. Insightful Counseling LLC typically uses or shares your health information in the following ways:

- To treat you.
- Insightful Counseling LLC can use and share PHI with other professionals who are treating you.
- Example: Your primary care doctor asks about your mental health treatment.

To run the health care operations.

- Insightful Counseling LLC can use and share PHI to run the business, improve your care, and contact you.
- Example: Insightful Counseling LLC uses PHI to send you appointment reminders if you choose.

To bill for your services.

- Insightful Counseling LLC can use and share PHI to bill and get payment from health plans or other entities.
- Example: Insightful Counseling LLC gives PHI to your health insurance plan so it will pay for your services.

## 2. Uses and Disclosures of PHI That May Be Made Without Your Authorization or Opportunity to Object

Insightful Counseling LLC may use or disclose PHI without your authorization or an opportunity for you to object, including:

To help with public health and safety issues

- Public health: To prevent the spread of disease, assist in product recalls, and report adverse reactions to medication.
- Required by the Secretary of Health and Human Services: We may be required to disclose your PHI to the Secretary of Health and Human Services to investigate or determine our compliance with the requirements of the final rule on Standards for Privacy of Individually Identifiable Health Information.
- Health oversight: For audits, investigations, and inspections by government agencies that oversee the health care system, government benefit programs, other government regulatory programs, and civil rights laws.
- Serious threat to health or safety: To prevent a serious and imminent threat.
- Abuse or Neglect: To report abuse, neglect, or domestic violence.

To comply with law, law enforcement, or other government requests

- Required by law: If required by federal, state or local law.
- Judicial and administrative proceedings: To respond to a court order, subpoena, or discovery request.
- Law enforcement: For law locate and identify you or disclose information about a victim of a crime.
- Specialized Government Functions: For military or national security concerns, including intelligence, protective services for heads of state, or your security clearance.
- National security and intelligence activities: For intelligence, counterintelligence, protection of the President, other authorized persons or foreign heads of state, for purpose of determining your own security clearance and other national security activities authorized by law.
- Workers' Compensation: To comply with workers' compensation laws or support claims.

To comply with other requests

- Coroners and Funeral Directors: To perform their legally authorized duties.
- Organ Donation: For organ donation or transplantation.

- Research: For research that has been approved by an institutional review board.
- Inmates: The Practice created or received your PHI in the course of providing care.
- Business Associates: To organizations that perform functions, activities or services on our behalf.

### 3. Uses and Disclosures of PHI That May Be Made With Your Authorization or Opportunity to Object

Unless you object, Insightful Counseling LLC may disclose PHI:

To your family, friends, or others if PHI directly relates to that person's involvement in your care.

If it is in your best interest because you are unable to state your preference.

### 4. Uses and Disclosures of PHI Based Upon Your Written Authorization

Insightful Counseling LLC must obtain your written authorization to use and/or disclose PHI for the following purposes:

Marketing, sale of PHI, and psychotherapy notes.

You may revoke your authorization, at any time, by contacting Insightful Counseling LLC in writing, using the information above. Insightful Counseling LLC will not use or share PHI other than as described in Notice unless you give your permission in writing.

### **Mandatory Disclosures of Treatment Information (For minors only)**

In some situations, I am required by law or by the guidelines of my profession to disclose information, whether or not I have your or your child's permission. I have listed some of these situations below.

Confidentiality cannot be maintained when:

- Child clients tell me they plan to cause serious harm or death to themselves, and I believe they have the intent and ability to carry out this threat in the very near future. I must take steps to inform a parent or guardian or others of what the child has told me and how serious I believe this threat to be and to try to prevent the occurrence of such harm.
- Child clients tell me they plan to cause serious harm or death to someone else, and I believe they have the intent and ability to carry out this threat in the very near future. In this situation, I must inform a parent or guardian or others, and I may be required to inform the person who is the target of the threatened harm [and the police].
- Child clients are doing things that could cause serious harm to them or someone else, even if they do not intend to harm themselves or another person. In these situations, I will need to use my professional judgment to decide whether a parent or guardian should be informed.
- Child clients tell me, or I otherwise learn that, it appears that a child is being neglected or abused--physically, sexually or emotionally--or that it appears that they have been neglected or abused in the past. In this situation, I may be required by law to report the alleged abuse to the appropriate state child-protective agency.
- I am ordered by a court to disclose information.

### **Disclosure of Minor's Treatment Information to Parents**

Therapy is most effective when a trusting relationship exists between the therapist and the patient. Privacy is especially important in earning and keeping that trust. As a result, it is important for children to have a "zone of privacy" where children feel free to discuss personal matters without fear that their thoughts and feelings will be immediately communicated to their

parents. This is particularly true for adolescents who are naturally developing a greater sense of independence and autonomy.

It is my policy to provide you with general information about your child's treatment, but NOT to share specific information your child has disclosed to me without your child's agreement. This includes activities and behavior that you would not approve of — or might be upset by — but that do not put your child at risk of serious and immediate harm. However, if your child's risk-taking behavior becomes more serious, then I will need to use my professional judgment to decide whether your child is in serious and immediate danger of harm. If I feel that your child is in such danger, I will communicate this information to you.

Example: If your child tells me that he/she has tried alcohol at a few parties, I would keep this information confidential. If your child tells me that he/she is drinking and driving or is a passenger in a car with a driver who is drunk, I would not keep this information confidential from you. If your child tells me, or if I believe based on things I learn about your child, that your child is addicted to drugs or alcohol, I would not keep that information confidential.

Example: If your child tells me that he/she is having voluntary, protected sex with a peer, I would keep this information confidential. If your child tells me that, on several occasions, the child has engaged in unprotected sex with strangers or in unsafe situations, I will not keep this information confidential.

You can always ask me questions about the types of information I would disclose. You can ask in the form of "hypothetical situations," such as: "If a child told you that he or she were doing \_\_\_\_\_, would you tell the parents?"

Even when we have agreed to keep your child's treatment information confidential from you, I may believe that it is important for you to know about a particular situation that is going on in your child's life. In these situations, I will encourage your child to tell you, and I will help your child find the best way to do so. Also, when meeting with you, I may sometimes describe your child's problems in general terms, without using specifics, in order to help you know how to be more helpful to your child.

### **Disclosure of Minor's Treatment Records to Parents**

Although the laws of New Mexico may give parents the right to see any written records I keep about your child's treatment, by signing this agreement, you are agreeing that your child or teen should have a "zone of privacy" in their meetings with me, and you agree not to request access to your child's written treatment records.

### **OUR RESPONSIBILITIES**

- Insightful Counseling LLC is required by law to maintain the privacy and security of PHI.
- Insightful Counseling LLC is required to abide by the terms of this Notice currently in effect. Where more stringent state or federal law governs PHI, the Practice will abide by the more stringent law.
- Insightful Counseling LLC reserves the right to amend Notice. All changes are applicable to PHI collected and maintained by the Practice. Should the Practice make changes, you may obtain a revised Notice by requesting a copy from the Practice, using the information above, or by viewing a copy on the website [www.insightfulcounselingllc.org](http://www.insightfulcounselingllc.org).
- Insightful Counseling LLC will inform you if PHI is compromised in a breach.

This Notice is effective on July 9th, 2024.