



This notice describes how psychological and medical information about you may be used and disclosed and how you can get access to this information. Please read it carefully.

In 1996, Congress passed the Health Insurance Portability and Accountability Act (HIPAA) regarding procedures protecting client's rights related to health records, including mental health. HIPAA has three parts. The "**privacy rule**" focuses on when and to whom confidential patient information can be disclosed. The "**transaction rule**" addresses technical aspects of the electronic process and requires use of standardized formats whenever health care transactions, such as claims, are sent or received electronically. The "**security rule**" seeks to assure the security of confidential electronic patient information. For mental health professionals, this refers to access to offices, access to files and computers, as well as the processes used to keep electronic information secure. Protected Health Information (PHI) under HIPAA refers to any information that identifies the client.

1. As related to Mrs. Cazares's practice, this information includes Diagnostic Interviews, Pretreatment Assessments, Family Assessments, Therapy Summaries, Treatment Plans/Updates, Discharge Summaries, Consultation Notes, Emails, Claim Forms, Insurance EOBs, Client Intake Forms, and Correspondence with persons/agencies with written client consent. Records received from other persons/agencies also become part of the patient's PHI. PHI will only be released by consent of the client or the client's guardian. In situations where the client is a ward of the state of Nebraska, the caseworker is presumed to be the legal guardian. Information provided to Mrs. Cazares by the caseworker becomes the patient's PHI and can be forwarded by Mrs. Cazares to agencies needing the material for treatment decisions (e.g., Nebraska Heritage Health).
2. Mrs. Cazares will only release a client's PHI with a signed release from the client or client's guardian (in the case of a minor). Only information specifically identified on the signed release will be sent from this office. A copy of the signed release becomes part of the client's file and PHI. The release allows the client to restrict the information disclosed by identifying it on the form. Mrs. Cazares has no control over information once it is released. If the client uses commercial insurance to managed care benefits to pay for services, it is Mrs. Cazares's policy to release the least amount of information possible that will allow claims to be paid. Information typically includes dates of service, length and type of treatment provided, address, social security number, and diagnosis. If companies request more information, Mrs. Cazares will consult with her client before sending information.
3. Mrs. Cazares may need to disclose PHI without your consent in certain circumstances. In cases of suspected child abuse, she is required by law to make a report. In cases where the client threatens to seriously harm self or others, Mrs. Cazares is obligated to take steps to keep the client and others identified by threat safe. In some court proceedings, Mrs. Cazares may be required to present PHI via a court order or subpoena.
4. Mrs. Cazares may use a billing agency that has access to demographic and diagnostic information necessary for processing claims with insurance companies. A clearing house may be used for handling claims submitted electronically. Secretarial help may be used. Mrs. Cazares may use an agency to scan and store patient data electronically. Mrs. Cazares may use an agency to shred old files. Mrs. Cazares or Cazares Counseling may also use a company/individual to clean Cazares Counseling Offices. All employees and contractors used by Mrs. Cazares have signed a Business Associate Agreement consenting to abide by Mrs. Cazares's confidentiality procedures. Mrs. Cazares would be happy to provide you with a copy of her Business Associate Agreement upon request.



5. As a solo practice, Mrs. Cazares maintains responsibility for amending policies and procedures related to client records as laws change. She is also the person to contact if a client has a complaint about his/her health record. Mrs. Cazares will sanction employees or contractors who do not follow her procedures related to PHI, including discussion of infractions at the least, requiring further training, or termination of services as the last resort.
6. Mrs. Cazares will honor client requests to have copies of their health records but they are encouraged to sit down with Mrs. Cazares, as some Information in the file needs interpretation and can be misunderstood if taken out of context. Requested copies of client health records will be provided within 30 days. A reasonable fee may be imposed.
7. Mrs. Cazares's clients have the right to request that information in their file be amended or changed if they feel it is incorrect. Mrs. Cazares will discuss the request with the client and make changes if the information provided by the client was misinterpreted or the client has data to suggest that a wrong assumption was made by Mrs. Cazares. Changes will not be made when Mrs. Cazares's comments are based on observations or clinical opinion. If a request for an amendment to PHI is denied, Mrs. Cazares will document the reason in writing and place it in the client's file and also give a copy of the denial to the client/guardian.
8. Mrs. Cazares will provide an accounting at the client's request of any information that is sent out regarding their record and which individuals have had access to their medical file. This accounting can be viewed by the client upon request.
9. The client has the right to receive PHI by alternative means and at alternative locations. For example, you may want statements sent to a certain address to keep others in your family from knowing you are in treatment.
10. Mrs. Cazares's personal computers are password-protected. Storage devices with patient data on them are stored in locked enclosures. Digital client data is backed up immediately whenever data has been added or updated. This backup is encrypted and transmitted to a server. The data can only be decrypted by Mrs. Cazares by accessing it from a password-protected or biometrically-protected computer.
11. Mrs. Cazares's paper medical files are locked in file cabinets and these cabinets are in a room that is locked when the premises are vacant.
12. The client has the right to complain if he/she feels that his/her rights have been violated using the contact information on page one. Mrs. Cazares and her associates will not retaliate for filing a complaint.
13. The client will be notified promptly if a breach occurs that may have compromised the privacy or security of PHI.
14. Mrs. Cazares currently holds a provisional mental health license with the State of Nebraska and will be supervised by Laura C. Kersten an independent mental health provider, therefore all information will be disclosed for supervisory purposes.

Signature

Date

Marysol Cazares, MA, PLMHP, PLADC
(402) 937-0281

marysol@cazarescounseling.com



Cazares Counseling, LLC
1244 Main Ave
Crete, NE 68333

Developed 12/02 by Jeff Melvin, Ph.D., revised 3/10/05, revised 11/21/08, revised by Drew Buss, M.S. Ed. 9/9/10, revised 9/1/11, revised 7/18/13, revised 8/18/14, Revised 9/1/15, revised by Kayleigh Wolf, LIMHP 6/1/20, Revised by Laura Kersten, LIMHP, LADC 5/10/21