



Notice of Privacy Practices

THIS NOTICE INVOLVES YOUR PRIVACY RIGHTS AND DESCRIBES HOW INFORMATION ABOUT YOU MAY BE DISCLOSED, AND HOW YOU CAN OBTAIN ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

I. Confidentiality

As a rule, Monarch Family Counseling will not disclose information about you, or the fact that you are a patient, without your written consent. Our formal Mental Health Record describes the services provided to you and contains the dates of sessions, your diagnosis, functional status, symptoms, prognosis and progress, and any psychological testing reports. Health care providers are legally allowed to use or disclose records or information for treatment, payment, and health care operations purposes. However, we do not routinely disclose information in such circumstances, so we will require your permission in advance, either through your consent at the onset of our relationship (by signing the attached general consent form), or through your written authorization at the time the need for disclosure arises. You may revoke your permission, in writing, at any time, by contacting us.

Monarch Family Counseling also keeps Psychotherapy Notes. These notes are for our own use and are meant to assist our clinicians in keeping track of information such as but not limited to interventions, assessment data, specific ideas and plans for future treatment, and sensitive information you reveal that may not be appropriate for the Mental Health Record (i.e. childhood abuse, trauma, etc.). These Psychotherapy Notes are kept separate from your Mental Health Record and are not available to you or anyone else including insurance companies or courts.

II. "Limits of Confidentiality"

Possible Uses and Disclosures of Mental Health Records without Consent or Authorization

There are some important exceptions to this rule of confidentiality – some exceptions created voluntarily by Monarch Family Counseling, [some because of policies in this office/agency], and some required by law. If you wish to receive mental health services from Monarch Family Counseling, you must sign the attached form indicating that you understand and accept our policies about confidentiality and its limits. Confidentiality is outlined below, but you may reopen the conversation at any time during our work together.

Monarch Family Counseling may use or disclose records or other information about you without your consent or authorization in the following circumstances, either by policy, or because legally required:

- Insurance: Insurance companies require protected health information (PHI) to determine eligibility of coverage, process claims, and determine the medical necessity of treatment. They will require a diagnosis and information regarding your treatment. To protect your confidentiality, they will be provided the bare minimum of information required.
- Emergency: If you are involved in a life-threatening emergency and we cannot ask your permission, we will share information if we believe you would have wanted us to do so, or if we believe it will be helpful to you.
- Child Abuse Reporting: If we have reason to suspect that a child is abused or neglected, we are required by law to report the matter immediately to social services.
- Adult Abuse Reporting: If we have reason to suspect that an elderly or incapacitated adult is abused, neglected or exploited, we are required by law to immediately make a report and provide relevant information to social services.
- Communicable Diseases: If you disclose a communicable disease such as but not limited to AIDS, hepatitis, rabies, or smallpox, we are required to report that to the Utah Department of Health.
- Court Proceedings: If you are involved in a court proceeding and a request is made for information about your diagnosis and treatment and the records thereof, such information is privileged under state law, we will not release information unless you provide written authorization or a judge issues a court order. If we receive a subpoena for records or testimony, we will notify you so you can file a motion to quash (block) the subpoena. Please note that Monarch Family Counseling does not involve itself in custody disputes.
- Serious Threat to Health or Safety: Under state law, if a therapist is engaged in professional duties and you communicate to a specific and immediate threat to cause serious bodily injury or death, to an identified or to an identifiable person, and we believe you

have the intent and ability to carry out that threat immediately or imminently, we are legally required to take steps to protect third parties. These precautions may include 1) warning the potential victim(s), or the parent or guardian of the potential victim(s), if under 18, 2) notifying a law enforcement officer, or 3) seeking your hospitalization. By our own policy, we may also use and disclose medical information about you when necessary to prevent an immediate, serious threat to your own health and safety.

· Minors: Children under 14 years old should be aware that under state law, parents may have the right to examine their child's treatment records. For children over 14, we ask that both the parent and child sign an agreement allowing the therapist to provide a summary of treatment as needed. Such summaries will be discussed with the child prior.

III. Patient's Rights and Provider's Duties:

· Right to Request Restrictions-You have the right to request restrictions on certain uses and disclosures of protected health information about you. You also have the right to request a limit on the medical information we disclose about you to someone who is involved in your care or the payment for your care. If you ask us to disclose information to another party, you may request that we limit the information we disclose. However, we are not required to agree to a restriction you request. To request restrictions, you must make your request in writing, and tell us: 1) what information you want to limit; 2) whether you want to limit my use, disclosure or both; and 3) to whom you want the limits to apply.

· Right to Receive Confidential Communications by Alternative Means and at Alternative Locations — You have the right to request and receive confidential communications of PHI by alternative means and at alternative locations. (For example, you may not want a family member to know that you are seeing a therapist here. Upon your request, we will send your bills to another address. You may also request that we contact you only at work, or that we do not leave voice mail messages.) To request alternative communication, you must make your request in writing, specifying how or where you wish to be contacted.

· Right to an Accounting of Disclosures – You generally have the right to receive an accounting of disclosures of PHI for which you have neither provided consent nor authorization (as described in section III of this Notice). On your written request, we will discuss with you the details of the accounting process

· Right to Inspect and Copy – In most cases, you have the right to inspect and copy your medical and billing records. To do this, you must submit your request in writing. If you request a copy of the information, we may charge a fee for costs of copying and mailing. Monarch Family Counseling may deny your request to inspect and copy in some circumstances. We may refuse to provide you access to certain psychotherapy notes or to information compiled in reasonable anticipation of, or use in, a civil criminal, or administrative proceeding.

· Right to Amend – If you feel that protected health information we have about you is incorrect or incomplete, you may ask us to amend the information. To request an amendment, your request must be made in writing, and submitted to Monarch Family Counseling. In addition, you must provide a reason that supports your request. We may deny your request if you ask us to amend information that: 1) was not created by us; We will add your request to the information record; 2) is not part of the medical information kept by us; 3) is not part of the information which you would be permitted to inspect and copy; 4) is accurate and complete.

· Right to a copy of this notice – You have the right to a paper copy of this notice. You may ask us to give you a copy of this notice at any time. Changes to this notice: Monarch Family Counseling reserves the right to change our policies and/or to change this notice, and to make the changed notice effective for medical information we already have about you as well as any information we receive in the future. The notice will contain the effective date. A new copy will be given to you or posted in the waiting room. We will have copies of the current notice available on request.

EFFECTIVE DATE OF THIS NOTICE

This notice went into effect on August 2, 2019