

## NOTICE OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW HEALTH INFORMATION MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION.

### **I. PLEDGE REGARDING HEALTH INFORMATION:**

It is understood that health information about you and your health care is personal.

*SpeechMatters* is committed to protecting health information about you. This notice applies to all of the records of your care generated by this practice. This notice will tell you about the ways in which *SpeechMatters* may use and disclose health information about you and describes your rights to that health information. Additionally, there are certain obligations regarding the use and disclosure of your health information that are described herein. *SpeechMatters* is required by law to:

- Make sure that protected health information (“PHI”) that identifies you is kept private.
- Give you this notice of legal duties and privacy practices with respect to health information.
- Follow the terms of the notice that is currently in effect.
- The terms of this Notice can be changed by *SpeechMatters*, and such changes will apply to all information on record. The new Notice will be available upon request, and on my website.

### **II. HOW *SPEECHMATTERS* MAY USE AND DISCLOSE HEALTH INFORMATION ABOUT YOU:**

The following categories describe different ways that *SpeechMatters* uses and discloses health information. For each category of uses or disclosures there is an explanation and examples for clarification. Not every use or disclosure in a category is listed; however, all of the ways *SpeechMatters* is permitted to use and disclose information will fall within one of the categories.

**For Treatment Payment, or Health Care Operations:** Federal privacy rules (regulations) allow health care providers who have a direct treatment relationship with the patient/client to use or disclose the patient/client’s PHI without the patient’s written authorization, to carry out the health care provider’s own treatment, payment, or health care operations. It may also be disclosed for the treatment activities of any health care provider. For example, if a health care provider were to consult with another licensed health care provider about your condition, *SpeechMatters* would be permitted to use and disclose your PHI, which is otherwise confidential, in order to assist the health care provider in diagnosis and treatment of your condition.

Disclosures for treatment purposes are not limited to the minimum necessary standard, because other health care providers need access to the full record and/or full and complete information in order to provide quality care. The word “treatment” includes, among other things, the

coordination and management of health care providers with a third party, consultations between health care providers and referrals of a patient for health care from one health care provider to another.

**Lawsuits and Disputes:** If you are involved in a lawsuit, *SpeechMatters* is permitted to disclose health information in response to a court or administrative order, 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 or to obtain an order protecting the information requested.

### **III. CERTAIN USES AND DISCLOSURES REQUIRE YOUR AUTHORIZATION:**

1. **Session Notes:** *SpeechMatters* keeps “Session notes” and any use or disclosure of such notes requires your Authorization unless the use or disclosure is:
  - a. For my use in treating you.
  - b. For my use in training or supervising associates to help them improve their clinical skills.
  - c. For my use in defending myself in legal proceedings instituted by you.
  - d. For use by the Secretary of Health and Human Services to investigate my compliance with HIPAA.
  - e. Required by law and the use or disclosure is limited to the requirements of such law.
  - f. Required by law for certain health oversight activities pertaining to the originator of the session notes.
  - g. Required by a coroner who is performing duties authorized by law.
  - h. Required to help avert a serious threat to the health and safety of others.
2. **Marketing Purposes.** As a health care provider, *SpeechMatters* will not use or disclose your PHI for marketing purposes without your written authorization.
3. **Sale of PHI.** As a health care provider, *SpeechMatters* will not sell your PHI in the regular course of business.

### **IV. CERTAIN USES AND DISCLOSURES DO NOT REQUIRE YOUR AUTHORIZATION.**

Subject to certain limitations in the law, *SpeechMatters* is permitted to use and disclose your PHI without your Authorization for the following reasons:

1. When disclosure is required by state or federal law, and the use or disclosure complies with and is limited to the relevant requirements of such law.

2. For public health activities, including reporting suspected child, elder, or dependent adult abuse, or preventing or reducing a serious threat to anyone's health or safety.
3. For health oversight activities, including audits and investigations.
4. For judicial and administrative proceedings, including responding to a court or administrative order.
5. For law enforcement purposes, including reporting crimes occurring.
6. To coroners or medical examiners, when such individuals are performing duties authorized by law.
7. For research purposes, including studying and comparing the patients who received one form of care versus those who received another form of care for the same condition.
8. Specialized government functions, including, ensuring the proper execution of military missions; protecting the President of the United States; conducting intelligence or counterintelligence operations; or, helping to ensure the safety of those working within or housed in correctional institutions.
9. For workers' compensation purposes in order to comply with workers' compensation laws.
10. Appointment reminders and health related benefits or services. *SpeechMatters* is permitted to use and disclose your PHI to contact you to remind you that you have an appointment, to tell you about treatment alternatives, or other health care services or benefits to be considered.

## **V. CERTAIN USES AND DISCLOSURES REQUIRE YOU TO HAVE THE OPPORTUNITY TO OBJECT.**

1. Disclosures to family, friends, or others. *SpeechMatters* may provide your PHI to a family member, friend, or other person that you indicate is involved in your care or the payment for your health care, unless you object in whole or in part. The opportunity to consent may be obtained retroactively in emergency situations.

## **VI. YOU HAVE THE FOLLOWING RIGHTS WITH RESPECT TO YOUR PHI:**

1. The Right to Request Limits on Uses and Disclosures of Your PHI. You have the right to ask *SpeechMatters* not to use or disclose certain PHI for treatment, payment, or health care operations purposes. *SpeechMatters* is not required to agree to your request and may refuse if believed it would affect your health care.
2. The Right to Request Restrictions for Out-of-Pocket Expenses Paid In Full. You have the right to request restrictions on disclosures of your PHI to health plans for payment or health care operations purposes if the PHI pertains solely to a health care item or a health care service that you have paid for out-of-pocket in full.
3. The Right to Choose How *SpeechMatters* Sends PHI to You. You have the right to request contact in a specific way (for example, home or office phone) or to send mail to a different address, and all reasonable requests will be adhered to.
4. The Right to See and Get Copies of Your PHI. Other than "session notes," you have the right to get an electronic or paper copy of your medical record and other information that *SpeechMatters* has on record. You will be provided with a copy of your record, or a summary of it, if you agree to receive a summary, within 30 days of receiving your

written request, and *SpeechMatters* is permitted to charge a reasonable, cost based fee for doing so.

5. The Right to Get a List of the Disclosures *SpeechMatters* has made. You have the right to request a list of instances in which *SpeechMatters* has disclosed your PHI for purposes other than treatment, payment, or health care operations, or for which you provided a signed Authorization. A response to your written request for an accounting of disclosures will be provided within 60 days of receiving your request. The list will include disclosures made in the last six years unless you request a shorter time. *SpeechMatters* will provide the list to you at no charge; however, requests made more frequently than yearly will be provided to you at a reasonable cost-based fee for each additional request.
6. The Right to Correct or Update Your PHI. If you believe that there is a mistake in your PHI, or that a piece of important information is missing from your PHI, you have the right to request that *SpeechMatters* correct the existing information or add the missing information. In the event that *SpeechMatters* declines your request, you will be notified in writing as to the reason within 60 days of receiving your written request.
7. The Right to Get a Paper or Electronic Copy of this Notice. You have the right to have a paper copy of this Notice, and you have the right to have a copy of this notice by e-mail. Even if you have agreed to receive this Notice via e-mail, you also have the right to request a paper copy of it.

## **EFFECTIVE DATE OF THIS NOTICE**

This notice went into effect November 2022.

## **Acknowledgement of Receipt of Privacy Notice**

Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), you have certain rights regarding the use and disclosure of your protected health information. By checking the box below, you are acknowledging that you have received a copy of HIPAA Notice of Privacy Practices.