

Selby Psychological Services, PLLC – Notice of Privacy Practices

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 REVIEW IT CAREFULLY

If you have any questions about this notice, please contact Dr. Brian Selby at (207) 299-2442 or doctorselby@hushmail.com

Who Will Follow This Notice

This notice describes Selby Psychological Services Privacy Policy including:

Any health care professional authorized to enter information into your record.

Our Pledge Regarding Your Medical Information

We are required by law to:

- Make sure that we maintain the privacy of your healthcare information;
- Give you this notice of our legal duties and privacy practices with respect to medical information about you; and
- Follow the terms of the Privacy Notice that is currently in effect

How We May Use and Disclose Medical and Psychological Information Regarding You

Selby Psychological Services (SPS) may use or disclose your protected health information (PHI), for treatment, payment, and health care operations purposes with your consent. To help clarify these terms, here are some definitions:

- “PHI” refers to information in your health record that could identify you.
- Treatment is when SPS provides, coordinates, or manages your health care and other services related to your health care. An example of treatment would be when SPS consults with another health care provider, such as your family physician or another psychologist.
- Payment is when SPS obtains reimbursement for your healthcare. Examples of payment are when SPS discloses your PHI to your health insurer to obtain reimbursement for your health care or to determine eligibility or coverage.
- Health Care Operations are activities that relate to the performance and operation of the SPS practice. Examples of health care operations are quality assessment and improvement activities,

business-related matters such as audits and administrative services, billing services, and case management and care coordination.

- "Use" applies only to activities within the SPS office such as sharing, employing, applying, utilizing, examining, and analyzing information that identifies you.
- "Disclosure" applies to activities outside of the SPS office, such as releasing, transferring, or providing access to information about you to other parties.
- "Authorization" is written permission to disclose confidential mental health information. All authorizations to disclose must be on a specific legally required form.

Uses and Disclosures Requiring Authorization

SPS may use or disclose PHI for purposes outside of treatment, payment, or health care operations when your appropriate authorization is obtained. An "authorization" is written permission above and beyond the general consent that permits only specific disclosures. In those instances when SPS is asked for information for purposes outside of treatment, payment or health care operations, SPS will obtain an authorization from you before releasing this information. SPS will also need to obtain an authorization before releasing your Psychotherapy Notes. "Psychotherapy Notes" are notes that a SPS provider has made about conversations during a private, group, joint, or family counseling session, which have been kept separate from the rest of your medical record. These notes are given a greater degree of protection than PHI.

You may revoke all such authorizations (of PHI or Psychotherapy Notes) at any time, provided each revocation is in writing. You may not revoke an authorization to the extent that (1) SPS has already relied upon and acted on that authorization; or (2) if the authorization was obtained as a condition of obtaining insurance coverage. The law provides the insurer the right to contest the claim under the policy.

Uses and Disclosures with Neither Consent nor Authorization

SPS may use or disclose PHI without your consent or authorization in the following circumstances:

- **Child Abuse** – If SPS have reasonable cause to suspect child abuse or neglect, SPS must report this suspicion to the appropriate authorities as required by law.
- **Adult and Domestic Abuse** – If SPS has reasonable cause to suspect abuse of a dependent or incapacitated adult. SPS must report this suspicion to the appropriate authorities as required by law.
- **Health Oversight Activities** – If SPS receives a subpoena or other lawful request from the Department of Health or the Maine State Board of Psychology, SPS must disclose the relevant PHI pursuant to that subpoena or lawful request.
- **Judicial and Administrative Proceedings** – If you are involved in a court proceeding and a request is made for information about your diagnosis and treatment or the records thereof, such information is privileged under state law, and SPS will not release information without your

written authorization or a court order. The privilege does not apply when you are being evaluated, where the evaluation is court ordered. You will be informed in advance if this is the case.

- **Serious Threat to Health or Safety** – If you communicate to a SPS provider a threat of physical violence against a reasonably identifiable third person and you have the apparent intent and ability to carry out that threat in the foreseeable future, SPS may disclose relevant PHI and take the reasonable steps permitted by law to prevent the threatened harm from occurring. If a SPS provider believes that there is an imminent risk that you will inflict serious physical harm on yourself, SPS may disclose information in order to protect you.
- **Worker’s Compensation** – SPS may disclose protected health information regarding you as authorized by and to the extent necessary to comply with laws relating to worker’s compensation or other similar programs, established by law, that provide benefits for work-related injuries or illness without regard to fault.
- **Appointment Reminders** – SPS may disclose limited PHI to contact you for appointment reminders.
- **Research** – SPS may disclose PHI for research purposes as combined non-identifiable data.

Patient’s Rights and Psychologist’s Duties

Patient’s Rights

- **Right to Request Restrictions** – You have the right to request restrictions on certain uses and disclosures of PHI. However, SPS is not required to agree to a restriction you request.
- **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 SPS provider. On your request, SPS will send your bills to another address.)
- **Right to Inspect and Copy** – You have the right to inspect or obtain a copy (or both) of PHI in the SPS mental health and billing records used to make decisions about you for as long as the PHI is maintained in the record. SPS may deny your access to PHI under certain circumstances, but in some cases you may have this decision reviewed. On your request, SPS will discuss with you the details of the request and denial process.
- **Right to Amend** – You have the right to request an amendment of PHI for as long as the PHI is maintained in the record. SPS may deny your request. On your request, SPS will discuss with you the details of the amendment process.
- **Right to an Accounting** – You generally have the right to receive an accounting of disclosures of PHI. On your request, SPS will discuss with you the details of the accounting process.
- **Right to a Paper Copy** – You have the right to obtain a paper copy of this notice from SPS upon request, even if you have agreed to receive the notice electronically.

Psychologist's Duties

SPS is required by law to maintain the privacy of PHI and to provide you with a notice of legal duties and privacy practices with respect to PHI.

SPS reserves the right to change the privacy policies and practices described in this notice. Unless SPS notifies you of such changes, however, SPS is required to abide by the terms currently in effect.

If SPS revises policies and procedures, SPS will post a notice in the SPS office to alert you to the revisions, and will make available to you a copy of the newly revised policies and procedures. In addition you may obtain a revised copy of this notice on our website, www.doctorselby.com.

Complaints

If you are concerned that SPS may have violated your privacy rights, or you disagree with a decision SPS made about access to your records, you may contact the SPS office at 6 State Street, Suite 208, Bangor, ME, 04401 or by contacting Dr. Brian Selby by phone at (207) 299-2442.

Complaints may also be filed with the Secretary of the Department of Health and Human Services (HHS). To Contact HHS:

The U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201
Toll Free: 1-877-696-6775

You will not be penalized for filing a complaint.

Effective Date, Restrictions, and Changes to Privacy Policy

This notice will go into effect as written July 2, 2007. If there is a change to the privacy policy, a new copy will be posted on our website (www.doctorselby.com) and will be available in our office.