

# Chesapeake ADHD Center

## Privacy Policy & HIPAA

The following information is part of our clinic's compliance with the Health Insurance Portability and Accountability Act (HIPAA).

This information 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 and retain this document for future reference.

### Uses and disclosures for treatment, payment and health care operations

**The Chesapeake Center may use or disclose your protected health information (PHI) for treatment, payment and health care operations purposes only with your written authorization.**

### Other uses and disclosures requiring authorization

The Chesapeake Center may use or disclose PHI for other purposes when your appropriate authorization is obtained. **For your own protection, we cannot accept verbal authorization for release of information.**

You may revoke all authorizations at any time, provided each revocation is in writing. You may *not* revoke an authorization to the extent that we have relied on that authorization.

### Uses and disclosures without authorization

Your Chesapeake Center clinician may use or disclose PHI without your consent or authorization in the following circumstances:

- **Child abuse** – If your Chesapeake Center clinician has reason to believe that a child has been subjected to abuse or neglect, they *must*, by law, report this belief to the appropriate authorities.
- **Abuse of dependent adult** – Your Chesapeake Center clinician may disclose protected health information if they reasonably believe that you are a victim or perpetrator of abuse, neglect, or exploitation of a dependent adult.
- **Health oversight activities** – If your Chesapeake Center clinician receives a subpoena from any professional Board of Examiners investigating this practice, your clinician must disclose any PHI requested by the Board.
- **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. The Chesapeake Center will NOT release information without your written

authorization or a court order. **However, the privacy privilege does NOT apply when you are being evaluated by a third party or where the evaluation is court-ordered.** You will be informed of this in advance if this is the case. Your PHI might also be required to be disclosed in legal proceedings where the judge believes that confidential information is necessary to the proper administration of justice; in legal proceedings where a client's mental status is at issue; in legal proceedings requesting information on therapy sessions that took place in a family or couples session.

- **Serious threat to health or safety** – If you communicate to your Chesapeake Center clinician a specific threat of imminent harm against yourself or another individual, or if your clinician believes that there is clear, imminent risk of physical or mental injury being inflicted, your clinician may make disclosures necessary to protect you or that individual from harm.
- **Competent health care practice** - If you are a licensed health care provider and a therapist believes that you are unable to practice competently, or pose a danger to your patients/clients due to substance abuse and/or emotional disturbance.

### **Client's rights and clinician's duties**

- **Right to request restrictions** – You have the right to request restrictions on certain uses and disclosures of protected health information. However, we are 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 one of our associates.) On your request, the Chesapeake Center 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 our mental health and billing records used to make decisions about you for as long as the PHI is maintained in the record. We may deny your access to PHI under certain circumstances, but in some cases you may have this decision reviewed. You have the right to inspect or obtain a copy (or both) of psychotherapy notes unless we believe the disclosure of the record will be injurious to your health. On your request, we will discuss with you the details of the request and denial process for both PHI and psychotherapy notes.
- **Right to amend** – You have the right to request an amendment of PHI for as long as the PHI is maintained in the record. We may deny your request. If you make such a request, we 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, your Chesapeake clinician 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 the notice from the Chesapeake Center, even if you have agreed to receive the notice electronically.

### **Clinician's duties**

- We are 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.
- We reserve the right to change the privacy policies and practices described in this notice. Unless we notify you of such changes, however, we are required to abide by the terms currently in effect.
- If we revise our policies and procedures, a notice of updated procedures will be sent to the address we have on file for you..

### **Chesapeake Center Practices regarding PHI**

The associates of the Chesapeake Center are a collaborative practice of professionals with different areas of special expertise. To provide you with the highest quality of care, we consult with one another when clinically advisable. While we are not equipped to guarantee emergency coverage, the Center makes an effort to provide coverage for staff members who are out of town. Clinic director, Kathleen Nadeau, Ph.D., works closely with all Chesapeake Center Associates.

### **Complaints**

If you are concerned that any psychologist associated with the Chesapeake Center has violated your privacy rights, or you disagree with a decision that has been made regarding access to your records, you may contact:

- Maryland Psychological Association  
One Mall North, Suite 314  
Columbia, MD 21044  
410-992-4258  
[www.marylandpsychology.org](http://www.marylandpsychology.org)
- National Association of Social Workers – Maryland Chapter  
5740 Executive Drive, Suite 208  
Baltimore, MD 21228  
410-788-1066  
[www.nasw-md.org](http://www.nasw-md.org)

You may also send a written complaint to the Secretary of the US Department of Health and Human Services. A representative of the Maryland Psychological Association listed above can provide you with the appropriate address upon request.