

MOTIVATIONS COUNSELING PLLC

NOTICE OF PRIVACY PRACTICES

**THIS NOTICE DESCRIBES HOW HEALTH INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION.
PLEASE REVIEW THIS NOTICE CAREFULLY.**

Your health record contains personal information about you and your health. This information, which may identify you and relates to your past, present or future physical or mental health or condition and related health care services, is referred to as Protected Health Information ("PHI"). This Notice of Privacy Practices describes how we may use and disclose your PHI in accordance with applicable law. It also describes your rights regarding how you may gain access to and control your PHI.

MOTIVATIONS COUNSELING PLLC is required by law to maintain the privacy of PHI and to provide you with notice of our legal duties and privacy practices with respect to PHI. MOTIVATIONS COUNSELING PLLC is required to abide by the terms of this Notice of Privacy Practices. MOTIVATIONS COUNSELING PLLC reserves the right to change the terms of our Notice of Privacy Practices at any time. Any new Notice of Privacy Practices will be effective for all PHI that we maintain at that time. We will provide you with a copy of the revised Notice of Privacy Practices by sending a copy to you in the mail upon request or providing one to you at your next appointment.

HOW WE MAY USE AND DISCLOSE HEALTH INFORMATION ABOUT YOU:

For Treatment. Your PHI may be used and disclosed by those who are involved in your care for the purpose of providing, coordinating, or managing your health care treatment and related services within MOTIVATIONS COUNSELING PLLC. This includes consultation with clinical supervisors or other treatment team members. MOTIVATIONS COUNSELING PLLC may disclose PHI to any other consultant outside of MOTIVATIONS COUNSELING PLLC only with your authorization.

For Payment. MOTIVATIONS COUNSELING PLLC may use or disclose PHI in order to receive payment for the treatment services provided to you. This will only be done with your authorization. Examples of payment-related activities are: reviewing services provided to you to determine medical necessity, or undertaking utilization review activities. If it becomes necessary to use collection processes due to lack of payment for services, MOTIVATIONS COUNSELING PLLC will only disclose the minimum amount of PHI necessary for purposes of collection.

For Health Care Operations. MOTIVATIONS COUNSELING PLLC may use or disclose, as needed, your PHI in order to support our business activities including, but not limited to, quality assessment activities, employee review activities, reminding you of appointments, to provide information about treatment alternatives or other health related benefits and services, licensing, and conducting or arranging for other business activities. For example, MOTIVATIONS COUNSELING PLLC may share your PHI with third parties that perform various business activities (e.g., billing or typing services) provided we have a written contract with the business that requires it to safeguard the privacy of your PHI. For training or research purposes, PHI will be disclosed only with your authorization.

Required by Law. Under the law, MOTIVATIONS COUNSELING PLLC must make disclosures of your PHI to you upon your request. In addition, we must make disclosures to the Secretary of the Department of Health and Human Services for the purpose of investigating or determining our compliance with the requirements of the Privacy Rule.

Without Authorization. Following is a list of the categories of uses and disclosures permitted by the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996 without an authorization:

Abuse and Neglect
Emergencies

Judicial and Administrative Proceedings
Law Enforcement

National Security

Public Safety (Duty to Warn)

Applicable law and ethical standards permit MOTIVATIONS COUNSELING PLLC to disclose information about you without your authorization only in a limited number of situations. The types of uses and disclosures that may be made without your authorization are those that are:

- Required by law, such as the mandatory reporting of child abuse or neglect or mandatory government agency audits or investigations (such as a professional licensing board or health department);
- Required by Court Order;
- Necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public. If information is disclosed to prevent or lessen a serious threat, it will be disclosed to a person or persons reasonably able to prevent or lessen the threat, including the target of the threat.

Verbal Permission. MOTIVATIONS COUNSELING PLLC may use or disclose your information to family members that are directly involved in your treatment with your verbal permission.

With Authorization. Uses and disclosures not specifically permitted by applicable law will be made only with your written authorization, which may also be revoked.

YOUR RIGHTS REGARDING YOUR PHI

You have the following rights regarding your PHI maintained by our office.

- **Right of Access to Inspect and Copy.** You have the right, which may be restricted only in exceptional circumstances, to inspect and copy PHI that may be used to make decisions about your care. Your right to inspect and copy PHI will be restricted only in those situations where there is compelling evidence that access would cause serious harm to you. MOTIVATIONS COUNSELING PLLC may charge a reasonable, cost-based fee for copies.
- **Right to Amend.** If you feel that the PHI MOTIVATIONS COUNSELING PLLC has about you is incorrect or incomplete, you may ask MOTIVATIONS COUNSELING PLLC to amend the information, although MOTIVATIONS COUNSELING PLLC is not required to agree to the amendment.
- **Right to an Accounting of Disclosures.** You have the right to request an accounting of certain of the disclosures that MOTIVATIONS COUNSELING PLLC make of your PHI. MOTIVATIONS COUNSELING PLLC may charge you a reasonable fee if you request more than one accounting in any 12-month period.
- **Right to Request Restrictions.** You have the right to request a restriction or limitation on the use or disclosure of your PHI for treatment, payment, or health care operations. MOTIVATIONS COUNSELING PLLC is not required to agree to your request.
- **Right to Request Confidential Communication.** You have the right to request that MOTIVATIONS COUNSELING PLLC communicate with you about health matters in a certain way or at a certain location.
- **Self-Paying Clients' Privacy Protection:** If you entirely self-pay for services at MOTIVATIONS COUNSELING PLLC, then you may
 - request that MOTIVATIONS COUNSELING PLLC not inform your health plan, and we are obligated to comply with that request.
- **Electronic Transactions Standards.** MOTIVATIONS COUNSELING PLLC agrees to comply with federal guidelines regarding PHI and electronic transactions.
- **Right to a Copy of this Notice.** You have the right to a copy of this Notice.

EXERCISE OF YOUR RIGHTS/COMPLAINTS

To exercise any of your rights or if you believe any MOTIVATIONS COUNSELING PLLC staff member has violated your privacy rights, you may contact the MOTIVATIONS COUNSELING PLLC Compliance Officer noted below. You also have the right to file a complaint in writing with the Privacy Officer at the Department of Health and Human Services at 200 Independence Avenue, S.W., Washington, D.C. 20201. MOTIVATIONS COUNSELING PLLC and your staff therapist will not retaliate against you for filing a complaint. The effective date of this notice is 5/27/2010.

Compliance Officer – Motivations Counseling PLLC:

Susan Baker, M.Ed., LPC

Telephone – 281-858-3001

Address: HIPAA COMPLIANCE OFFICER

Motivations Counseling PLLC

14090 Southwest Freeway, Suite 300

Sugar Land, Texas 77478