

PRIVACY OF MENTAL HEALTH INFORMATION AND PSYCHOTHERAPY NOTES

The privacy and confidentiality of mental health information and psychotherapy notes maintained by Options for Community Living, Inc. is protected by Federal and State law and regulations. These protections go above and beyond the protections described in Options' General Notice of Privacy Practices. If you have questions about this notice or would like further information, please contact Options' Privacy Officer, Susan Steinhardt at 631-361-9020 extension 1207 or at sssteinhardt@optionscl.org.

We recommend that you also take time to review Options' General Notice of Privacy Practices for information about how your health information may generally be used and disclosed by Options. Options' General Notice of Privacy Practices also provides information about how you may obtain access to your health information, including mental health information. If there is any conflict between the General Notice of Privacy Practices and this notice, the protections described in this notice will apply instead of the protections described in the General Notice of Privacy Practices.

CONFIDENTIALITY OF MENTAL HEALTH INFORMATION

With your general written consent, mental health information about you may be used by personnel within Options (or its business associates) in connection with their duties to provide you with treatment, obtain payment for that treatment, or conduct Options business operations. Generally, Options may not reveal mental health information about you to other persons outside of Options, *except in the following situations*:

- When Options is authorized to make health care decisions on your behalf;
- To government agencies or private insurance companies in order to obtain payment for services we provided to you;
- To comply with a court order;
- To appropriate persons who are able to avert a serious and imminent threat to the health or safety of you or another person;
- To appropriate government authorities to locate a missing person or conduct a criminal investigation as permitted under Federal and State confidentiality laws;
- To other licensed facilities providing emergency services, if permitted under Federal and State confidentiality laws;
- To the mental hygiene legal service offered by the State;
- To attorneys representing residents in an involuntary hospitalization proceeding if: the attorney is your personal representative; you or your personal representative has signed an authorization; or the disclosure is required by law or court order.
- To authorized government officials for the purpose of monitoring or evaluating the quality of care provided by Options or its staff;
- To qualified researchers without your specific authorization when such research poses minimal risk to your privacy;
- To coroners and medical examiners to determine cause of death; and
- If you are an inmate, to a correctional facility which certifies that the information is necessary in order to provide you with health care, or in order to protect the health or safety of you or any other persons at the correctional facility.

CONFIDENTIALITY OF PSYCHOTHERAPY NOTES

Psychotherapy notes are notes by a mental health professional that document or analyze the contents of a conversation during a private counseling session – or during a group, joint, or family counseling session. If these notes are maintained separate from the rest of your medical records, they can only be used and disclosed as follows.

In general, psychotherapy notes may not be used or disclosed without your written authorization, except in the following circumstances.

With your general written consent, psychotherapy notes about you may be used and disclosed in the following situations:

- The mental health professional who created the notes may use them to provide you with further treatment;
- The mental health professional who created the notes may disclose them to students, trainees, or practitioners in mental health who are learning under supervision to practice or improve their skills in group, joint, family, or individual counseling; and
- The mental health professional who created the notes may disclose them as necessary to defend his or herself, or Options, in a legal proceeding initiated by you or your personal representative;

Psychotherapy notes may be used and disclosed without your general written consent or written authorization in the following situations to comply with the law or meet an important public need:

- The mental health professional who created the notes may disclose them as required by law;
- The mental health professional who created the notes may disclose the notes to appropriate government authorities when necessary to avert a serious and imminent threat to the health or safety of you or another person;
- The mental health professional who created the notes may disclose them to the United States Department of Health and Human Services when that agency requests them in order to investigate the mental health professional's compliance, or Options' compliance, with Federal privacy and confidentiality laws and regulations; and
- The mental health professional who created the notes may disclose them to medical examiners and coroners if necessary to determine your cause of death.

HOW TO OBTAIN COPIES OF THIS NOTICE

How to Obtain a Copy of This Notice. You have the right to a paper copy of this notice. You have the right to a paper copy of this notice. You or your personal representative may request a paper copy at any time by requesting a copy from our program staff or by contacting the Privacy Officer, Susan Steinhardt at 631-361-9020 extension 1207 or at ssteinhardt@optionscl.org

How to Obtain a Copy of Revised Notice. We may change our privacy practices from time to time. If we do, we will revise this notice so you will have an accurate summary of our practices. The revised notice will apply to all of your health information. We will post any revised notice in our administrative office areas. You or your personal representative may request a copy of a revised notice from our program staff or by contacting the Privacy Officer, Susan Steinhardt at 631-361-9020 extension 1207 or at ssteinhardt@optionscl.org. We are required to abide by the terms of the notice that is currently in effect.

HOW TO FILE A COMPLAINT

If you believe your privacy rights have been violated, you may file a complaint with us or with the Secretary of the Department of Health and Human Services. To file a complaint with us, please contact:

Options for Community Living, Inc.
25 Howard Place
Ronkonkoma, NY 11779
Attention: HIPAA Privacy and Security Officer
631-361-9020

No one will retaliate or take action against you for filing a complaint.

If you experience discrimination because of the release of confidential HIV-related information, you may contact the New York State Division of Human Rights at (212) 566-8624 or the New York City Commission of Human Rights at (212) 566-5493. These agencies are responsible for protecting your rights.