



## **NOTICE OF PRIVACY PRACTICES**

**HIPPA** is a federal law that requires Cognitive Behavioral Solutions (“CBS”) to maintain the privacy of your protected health information and to provide you with notice of the legal duties and privacy policies with respect to your protected health information. Our office is required by law to abide by the terms of this Notice of Privacy Practices.

**Your Protected Health Information:** Your “protected health information” (PHI) broadly includes any health information, oral, written or recorded, that is created or received by Cognitive Behavioral Solutions, other healthcare providers, and health insurance companies or plans, that contains data, such as your name, address, social security number, and other information, that could be used to identify you as the individual patient who is associated with that health information.

**Uses of Disclosures of Your PHI:** Generally, Cognitive Behavioral Solutions may not use or disclose your PHI without your permission, and must use or disclose your PHI in accordance with the terms of your permission. “Use” refers generally to activities within the office of Cognitive Behavioral Solutions. “Disclosure” refers generally to activities involving parties outside of Cognitive Behavioral Solutions. The following are the circumstances under which Cognitive Behavioral Solutions is permitted or required to use or disclose your PHI. In all cases, CBS is required to limit such uses or disclosures to the minimal amount of PHI that is reasonably required.

Without your Written Authorization: Without your written authorization, Cognitive Behavioral Solutions may use within her office, or disclose to those outside of her office, your PHI in order to provide you with the treatment you require or request, to collect payment for her services, and to conduct other related health care operations as follows:

Treatment activities include: (a) use within Cognitive Behavioral Solutions by professional staff for the provision, coordination, or management of your health care at the office, and (b) CBS contacting you to provide appointment reminders or information about treatment alternatives or other health related services that may be of interest to you.

Payment activities include: (a) if you initially consent to treatment using the benefits of your contract with your health insurance plan, Cognitive Behavioral Solutions will disclose to your health plans or plan administrator, or other appointment agents, PHI for such plans or administrators to determine coverage, for their medical necessity reviews, for their appropriateness of care reviews, for their utilization review activities, and for adjudication of health benefit claims; (b) disclosures for billing for which CBS may utilize the services of outside billing companies and claims processing companies with which she has Business Associate Agreements that protect the privacy of your PHI, and (c) disclosures to attorneys, courts, collection agencies and consumer reporting agencies, of information as necessary for the collection of our unpaid fees, provided that CBS notifies you in writing prior to making collection efforts that require disclosure of your PHI.

Health care operations include: (a) use within Cognitive Behavioral Solutions for training of professional staff and for internal quality control and auditing functions (b) use within her office for general administrative activities such as filing, typing, etc., and (c) disclosures to her attorney, accountant, bookkeeper and similar consultant to her healthcare operations, provided that she shall have entered into Business Associate Agreements with such consultant for the protection of your PHI.

**PLEASE NOTE THAT UNLESS YOU REQUEST OTHERWISE AND CBS AGREES TO YOUR REQUEST, COGNITIVE BEHAVIORAL SOLUTIONS WILL USE OR DISCLOSE YOUR PHI FOR TREATMENT ACTIVITIES, PAYMENT ACTIVITIES, AND HEALTHCARE OPERATIONS AS SPECIFIED ABOVE, WITHOUT WRITTEN AUTHORIZATION FROM YOU.**

As Required by Law: Cognitive Behavioral Solutions may use or disclose your PHI to the extent that such use or disclosure is required by law. Examples of instances in which CBS is required to disclose your PHI include: (a) disclosures regarding reports of child abuse or neglect, including reporting to social service or child protective services agencies, (b) health oversight activities including audits, civil, administrative, or criminal investigations, inspections, licensure or disciplinary actions, or civil, administrative or criminal proceedings or actions, or other activities necessary for appropriate oversight of



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government benefit programs, (c) judicial and administrative proceedings in response to an order of a court or administrative tribunal, or other lawful process, (d) to the extent necessary to protect you or others from a serious imminent risk of danger presented by you, (e) for worker's compensation claims, and (f) as required by the Secretary of Health and Human Services to investigate or determine our compliance with federal regulations, including those regarding government programs providing public benefits.

All Other Situations, With Your Specific Written Authorization: Except as otherwise permitted or required as described above, Cognitive Behavioral Solutions may not use or disclose your PHI without your written authorization. Further, Cognitive Behavioral Solutions is required to use or disclose your PHI consistent with the terms of your authorization. You may revoke your authorization to use or disclose any PHI at any time, except to the extent that we have taken action in reliance on such authorization, or, if you provided the authorization as a condition of obtaining insurance coverage, other law provides the insurer with the right to contest a claim under the policy.

Special Handling of Psychotherapy Notes: "Psychotherapy Notes" are defined as records of communications during individual or family counseling which may be maintained in addition to and separate from medical or healthcare records. Psychotherapy Notes are only released with your specific written authorization except in limited instances, including (a) if you sue Cognitive Behavioral Solutions or place a complaint, Cognitive Behavioral Solutions may use Psychotherapy Notes in its defense, (b) to the United States Department of Health and Human Services in an investigation of Cognitive Behavioral Solutions compliance with HIPPA, (c) to health oversight agencies for a lawful purpose related to oversight of our office, and (d) to the extent necessary to protect you or others from a serious imminent risk of danger presented by you. Health insurers may not condition treatment, payment, enrollment, or eligibility for benefits on obtaining authorization to review, or on reviewing, Psychotherapy Notes.

**Your Rights With Respect to Your Protected Health Information:** Under HIPPA, you have rights with respect to your PHI. The following is an overview of your rights and our duties with respect to enforcing those rights.

Right to Request Restrictions on Use or Disclosure: You have the right to request restrictions on certain uses and disclosures of your PHI. While Cognitive Behavioral Solutions is not required to agree to any requested restrictions, if CBS agrees to a restriction, it is bound not to use or disclose your PHI in violation of such restriction, except in certain emergency situations. Cognitive Behavioral Solutions will not accept a request to restrict uses or disclosures that are otherwise required by law. CBS requires that all requests for restrictions be in writing and that you state a reason for the request.

Right to Receive Confidential Communications by Alternative Means and at Alternative Locations: Cognitive Behavioral Solutions must permit you to request and must accommodate reasonable requests by you to receive communications of PHI from CBS by alternative means or at alternative locations. Cognitive Behavioral Solutions will ask you how you wish to receive communication from our office.

Right to Inspect and Copy Your PHI: You have the right to access in order to inspect, and to obtain a copy of your PHI, except for (a) personal notes and observations of the treating provider, (b) information compiled in reasonable anticipation of, or for use in, a civil, criminal, or administrative action or proceeding, (c) health information maintained by us to the extent to which the provision of access to you is at our discretion, and we exercise our professional judgment to deny you access, and (d) health information maintained by us to the extent to which the provision of access to you would be prohibited by law. Cognitive Behavioral Solutions requires written request for copies of your PHI; they should be sent to Cognitive Behavioral Solutions at the mailing address below. If you request a copy of your PHI, CBS may charge a fee for copying. CBS reserves the right to deny you access to and copies of all or certain PHI as permitted or required by law. Upon denial or a request for access or request for information, Cognitive Behavioral Solutions will provide you with a written denial specifying the basis for denial, a statement of your rights, and a description of how you may file an appeal or complaint.

Right to Amend Your PHI: You have the right to request that Cognitive Behavioral Solutions amend your PHI, for as long as your medical record is maintained. CBS has the right to deny your request for amendment. CBS requires that you submit written requests and provide a reason to support the requested amendment. If Cognitive Behavioral Solutions denies your request, you will receive a written denial stating the basis of the denial, your right to submit a written statement disagreeing with the denial, and a description of how you may file a complaint with our office and/or the Secretary of the U.S. Department of Health and Human Services (DHHS). If CBS accepts your request for amendment, our office will make reasonable efforts to provide the amendment within a reasonable time to persons identified by you as having received PHI of



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yours prior to amendment and persons that we know have the PHI that is the subject of the amendment and that may have relied, or could foreseeably rely, on such information to your detriment. All requests for amendments shall be sent to Cognitive Behavioral Solutions at the mailing address below.

**Right to Receive An Accounting of Disclosures of Your PHI:** You have the right to receive a written accounting of all disclosures of your PHI for which you have not provided an authorization, that we have made within the six year period immediately preceding that date on which the accounting is requested. You may request an accounting of such disclosures for a period of time less than six years from the date of the request. Cognitive Behavioral Solutions requires that you request an accounting in writing on a provided form.

The accounting of disclosures will include the date of each disclosure, the name and, if known, the address of the entity or person who received the information, a brief description of the information disclosed, and a brief statement of the purpose and basis of the disclosure or, instead of such statement, a copy of your written authorization or written request for disclosure pertaining to such information. Cognitive Behavioral Solutions is not required to provide accountings of disclosures for the following purposes: (a) treatment, payment, and healthcare operations, (b) disclosures pursuant to your authorization, (c) disclosures to you, (d) to other healthcare providers involved in your care, (e) for national security or intelligence purposes, (f) to correctional institutions, and (g) with respect to disclosures to health oversight agencies or law enforcement officials, as required by law. We will provide the first accounting to you in any twelve month period without charge, but will impose a reasonable cost-based fee for responding to each subsequent request for accounting within that same twelve month period. All requests for an accounting shall be sent to Dr. Amy Assemany at the mailing address below.

**Complaints:** You may file a complaint with Cognitive Behavioral Solutions and with the Secretary of DHHS if you believe that your privacy rights have been violated. Please submit any complaint to us in writing by mail to Cognitive Behavioral Solutions at the mailing address below. A complaint must name the subject of the complaint and describe the acts of omissions believed to be in violation of the applicable requirements of HIPPA or this Notice of Privacy Practices. A complaint must be received by Cognitive Behavioral Solutions or filed with the Secretary of DHHS within 180 days of when you knew or should have known that the act or omission complained of occurred. You will not be retaliated against for filing any complaint.

**Amendments to the Notice of Privacy Practices:** Cognitive Behavioral Solutions reserves the right to revise or amend this Notice of Privacy Practices at any time. The revisions or amendments may be made effective for all PHI Cognitive Behavioral Solutions maintains, even if created or received prior to the effective date of the revision or amendment. Upon your written request, we will provide you with notice of any revisions or amendments to the Notice of Privacy Practices, or changes in the law affecting this Notice of Privacy Practices, by mail or electronically within 60 days of receipt of your request.

**Ongoing Access to Notice of Privacy Practices:** Cognitive Behavioral Solutions will provide you with a copy of the most recent version of this Notice of Privacy Practices at any time upon your written request to the Privacy Officer, at the mailing address below. For any other requests or for further information regarding the privacy of your PHI, and for information regarding the filing of a complaint, please contact the Director of Cognitive Behavioral Solutions, Dr. Amy Assemany at the following address:

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