



Valley MedPsych

Virginia Notice Form
Notice of Psychologists' Policies and Practices to Protect the Privacy of your Health Information
Jaclyn Mouras, PsyD, PLLC

This notice describes how psychological and medical information about you may be used and disclosed as well as how you obtain access to this information. Please review it carefully.

I. Uses and Disclosures for Treatment, Payment, and Health Care Operations

Your protected health information (PHI) may be used or disclosed for treatment, payment, and health care operations purposes with your consent. The following is provided to help clarify these terms:

- ◆ “*PHI*” refers to information in your health record that could identify you.
- ◆ “*Treatment, Payment, and Health Care Operations*”
 - ◇ Treatment is when health care is provided, coordinated, or managed as well as other services related to health care. An example of treatment would be consulting with another health care provider, such as your family physician or another psychologist.
 - ◇ Payment is when reimbursement is obtained for health care services. Examples of payment are when PHI is disclosed to health insurance to obtain reimbursement for health care or to determine eligibility or coverage.
 - ◇ Health Care Operations are activities that relate to the performance and operation of the practice. Examples of health care operations are quality assessment and improvement activities, business-related matters, such as audits and administrative services, and care management and care coordination.
- ◆ “*Use*” applies only to activities within the practice group, such as sharing, employing, applying, utilizing, examining, and analyzing, information that identifies you.
- ◆ “*Disclosure*” applies to activities outside of the practice group, such as releasing, transferring, or providing access to information about you to other parties.

II. Uses and Disclosures Requiring Authorization

Your PHI may be used or disclosed for purposes outside of treatment, payment, and 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 asked for information purposes outside of treatment, payment, and health care operations, authorization from you will be obtained before this information is released. Authorization will also be obtained prior to release of psychotherapy notes. “Psychotherapy notes” are notes made about conversation during a private, group, joint, or family counseling session, which is kept separate from the rest of your medial 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 times, provided each revocation is in writing. You may not revoke authorization to the extent that (1) that authorization was relied on; or (2) if the authorization was obtained as a condition of obtaining insurance coverage, and the law provides the insurer the right to contest the claim under the policy.

III. Uses and Disclosures with Neither Consent nor Authorization

PHI may be used or disclosed without your consent or authorization in the following circumstances:

- ◆ **Child Abuse:** If there is reason to suspect that a child is abused or neglected, psychologists are required by law to report the matter immediately to the Virginia Department of Social Services.
- ◆ **Adult and Domestic Abuse:** If there is reason to suspect that an adult is abused, neglected, or exploited, psychologists are required by law to immediately make a report and provide relevant information to the Virginia Department of Welfare or Social Services.
- ◆ **Health Oversight:** The Virginia Board of Psychology has the power, when necessary, to subpoena relevant records should a psychologist be the focus of an inquiry.
- ◆ **Judicial or Administrative Proceedings:** If you are involved in a court proceeding and a request is made for information about your diagnoses and treatment and the records thereof, such information is privileged under state law, and therefore will not be released without written authorization of you or your legal representative, or a subpoena (of which you have been served, along with the proper notice required by state law). However, if you move to quash (block) the subpoena, the psychologist is required to place said records in a sealed envelope and provide them to the clerk of court of the appropriate jurisdiction so that the court can determine whether the records should be released. The privilege does not apply when you are being evaluated for a third party or where the evaluation is court ordered. You will be informed in advance if this is the case.



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- ◆ **Serious Threat to Health or Safety:** If the psychologist is engaged in professional duties and there is communication to the psychologist of a specific and immediate threat to cause serious bodily injury or death to an identified or to an identifiable person, and there is the belief of the psychologist that you have the intent and ability to carry out that threat immediately or imminently, the psychologist must take steps to protect yourself or third parties. These precautions may include (1) warning the potential victim(s) or the parent or guardian of the potential victim(s), if under 18; or (2) notifying a law enforcement officer.
- ◆ **Worker's Compensation:** If you file a worker's compensation claim, the psychologist is required by law upon request, to submit your relevant mental health information to you, your employer, the insurer, or a certified rehabilitation provider.
- ◆ **Appointments:** You may be contacted or reminded of your appointment by telephone. Our message will include the name of the clinician or psychologist as well as the date and time of your appointment or a reminder that an appointment needs to be scheduled.

IV. Research Policies and Procedures

De-identified data of neuropsychological evaluation may be stored without PHI or any other identifying information for use in research and the advancement of the field of neuropsychology unless you verbally indicate of your wishes for your de-identified data to not be included.

V. 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 about you; however, the psychologist is not required to agree to a requested restriction.
- ◆ *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 about services you are receiving. Therefore, upon your request, your bills would be sent to another address.
- ◆ *Right to Inspect and Copy* – You have the right to inspect or obtain a copy (or both) of PHI and psychotherapy notes in the mental health and billing records used to make decisions about you for as long as the PHI is maintained in the record. Your access to PHI may be denied under certain circumstances, but in some cases, you may have this decision reviewed. On your request, 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. Your request may be denied and on your request the details of the amendment process will be discussed with you.
- ◆ *Right to Accounting* – You generally have the right to receive an accounting of disclosures of PHI for which you have neither provided consent nor authorization (as described in Section III of this Notice). On your request, the details of the accounting process will be discussed with you.
- ◆ *Right to a Paper Copy* – You have the right to obtain a paper copy of the Notice upon request.

Psychologist's Duties

- ◆ The psychologist 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.
- ◆ The right to change the privacy policies and practices described in this Notice is reserved at the discretion of the psychologist. However, unless you are notified of such changes, the psychologist is required to abide by the terms currently in effect as cited in this Notice.
- ◆ Should these policies and procedure be revised, you will be provided with a revised notice by in-person contact.

VI. Complaints

If you are concerned that I have violated your privacy rights, or you disagree with a decision made about access to your records, you may any member of the management team at Valley MedPsych (Jaclyn Mouras, PsyD, PLLC) at (540) 221-1846 or (540) 987-0993. You may also send a written complaint to the Secretary of the U.S. Department of Health and Human Services, with the appropriate address provided upon request.

VII. Effective Date, Restrictions, and Changes to Privacy Policy

This notice will go into effect on January 1, 2024. Jaclyn Mouras, PsyD, PLLC, reserves the right to change the terms of this notice and to make the new notice provisions effective for all PHI that is maintained, which would be provided with a revised notice by in-person contact.