

# PERSONAL HEALTH INFORMATION: Your Information, Your Rights, and Our Responsibilities.



This notice describes how medical information about you may be used and disclosed and how you can get access to this information. **Please review it carefully.**

**YOUR RIGHTS:** When it comes to your health information, you have certain rights. This section explains your rights and some of our responsibilities to help you.

## Get an electronic or paper copy of your medical record

- You can ask to see or get an electronic or paper copy of your medical record and other health information we have about you. Ask us how to do this.
- We will provide a copy or a summary of your health information, usually within 30 days of your request. We may charge a reasonable, cost-based fee.
- You have the right to request confidential communications of Personal Health Information (PHI) by alternative means (see the attached) Email and Electronic Communication Policy)

## Ask us to correct your medical record

- You can ask us to correct health information about you that you think is incorrect or incomplete. Ask us how to do this. We may say “no” to your request, but we’ll tell you why in writing within 60 days.

## Request confidential communications

- You can ask us to contact you in a specific way (for example, home or office phone) or to send mail to a different address. We will say “yes” to all reasonable requests.

## Ask us to limit what we use or share

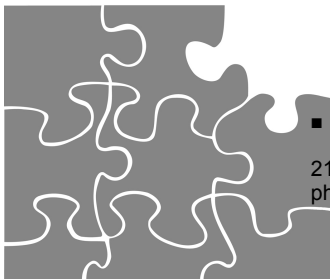
- You can ask us not to use or share certain health information for treatment, payment, or our operations. We are not required to agree to your request, and we may say “no” if it would affect your care.
- If you pay for a service or health care item out-of-pocket in full, you can ask us **not** to share that information with your health insurer for the purpose of payment or our operations. We will agree unless a law requires us to share that information.

## Get a list of those with whom we’ve shared information and Get a copy of this privacy notice

- You can ask for a list (accounting) of the times we’ve shared your health information for six years prior to the date you ask, who we shared it with, and why.
- We will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures (such as any you asked us to make). We’ll provide one accounting a year for free but will charge a reasonable, cost-based fee if you ask for another one within 12 months.
- You can ask for a paper copy of this notice at any time, even if you have agreed to receive the notice electronically. We will provide you with a paper copy promptly.

## Choose someone to act for you

- If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information.



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- We will make sure the person has this authority and can act for you before we take any action.

**File a complaint if you feel your rights are violated**

- You can complain if you feel we have violated your rights by contacting us using the information on page 1.
- You can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 1-877-696-6775, or visiting [www.hhs.gov/ocr/privacy/hipaa/complaints/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/) .
- We will not retaliate against you for filing a complaint.

**YOUR CHOICES:** For certain health information, you can tell us your choices about what we share. If you have a clear preference for how we share your information in the situations described below, talk to us. Tell us what you want us to do, and we will follow your instructions.

**In the following cases, you have both the right and choice to tell us to:**

- Share information with your family, close friends, or others involved in your care
- Share information in a disaster relief situation.
- *If you are not able to tell us your preference, for example if you are unconscious, we may go ahead and share your information if we believe it is in your best interest. We may also share your information when needed to lessen a serious and imminent threat to health or safety.*

**In the following cases we never share your information unless you give us written permission:**

- Marketing purposes (**This practice never uses patient information for marketing purposes**)
- Most sharing of psychotherapy notes

**OUR USES AND DISCLOSURES:** We typically use or share your health information in the following ways.

**Treat you** We can use your health information and share it with other professionals who are treating you.

*Example: A doctor treating you for an injury asks another doctor about your overall health condition.*

**Run our organization** We can use and share your health information to run our practice, improve your care, and contact you when necessary. *Example: We use health information about you to manage your treatment and services.*

**Bill for your services** We can use and share your health information to bill and get payment from health plans or other entities. *Example: We give information about you to your health insurance plan so it will pay for your services.*

***How else can we use or share your health information?*** We can share your information in ways that contribute to the public good, such as public health and research. We have to meet many conditions in the law before we can share your information for these purposes. ([www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html).)

**Help with public health and safety issues** We can share health information about you for certain situations such as:

- Preventing disease
- Reporting suspected abuse or neglect and preventing or reducing a serious threat to anyone's health or safety:
  - **Child Abuse, Adult and Domestic Abuse** – If I have reason to believe that a child has been subjected to abuse or neglect, or if I reasonably believe that you are a victim of abuse, neglect, self neglect or exploitation I must report this belief to the appropriate authorities.
  - **Serious Threat to Health or Safety** – If you communicate to me a specific threat of imminent harm against another individual or if I believe that there is clear, imminent risk of physical or mental injury being inflicted against another individual, I may make disclosures that I believe are necessary to protect that individual from harm. If I believe that you present an imminent, serious risk of physical or mental injury or death to yourself, I may make disclosures I consider necessary to protect you from harm.

**Do research** We can use or share your information for health research.

- Comply with the law** We will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we're complying with federal privacy law.
- **Health Oversight Activities** – If I receive a subpoena from the Maryland Board of Examiners of Psychologists because they are investigating my practice, I 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, such information is privileged under state law, and I will not release information without your written authorization or a court order. 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.

**Work with a medical examiner or funeral director** We can share health information with a coroner, medical examiner, or funeral director when an individual dies.

**Address workers' compensation, law enforcement, and other government requests** We can use or share health information about you:

- For workers' compensation claims and for law enforcement purposes or with a law enforcement official
- With health oversight agencies for activities authorized by law
- For special government functions such as military, national security, and presidential protective services

**Respond to lawsuits and legal actions** We can share health information about you in response to a court or administrative order, or in response to a subpoena.

## OUR RESPONSIBILITIES

- We are required by law to maintain the privacy and security of your protected health information.
- We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.
- We must follow the duties and privacy practices described in this notice and give you a copy of it.
- We will not use or share your information other than as described here unless you tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you change your mind.
- For more information see: [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html).

**Changes to the Terms of this Notice** We can change the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available upon request, in our office, and on our web site.

Effective Date of this Notice: 09/13/2013

PRIVACY OFFICER:                      Ralph D. Raphael, Ph.D.  
21 West Road Suite 150  
Baltimore, Maryland 21209  
410-825-0042  
[drraphael@ralphraphael.com](mailto:drraphael@ralphraphael.com) (Please note: email may not be a private or secure or private form of communication)

# EMAIL AND ELECTRONIC COMMUNICATION POLICY

Ralph D. Raphael Ph.D.  
MARYLAND CENTER FOR HEALTH PSYCHOLOGY



My goal is to maximize the ease in which you and I communicate and, at the same time, maintain your privacy and confidentiality. To meet these goals I have established several policies regarding electronic technology.

**Email and text messaging:** While I do my best to maintain the security and confidentiality of email I receive and send, I cannot guarantee the confidentiality of regular email or text messages. For example, even though no one else has access to my email, logs of emails sent and received are left on internet provider's servers. ***Therefore, I will not use email or text messages to communicate with you unless I have your specific permission to do so. Even with your permission I will only use these methods of communication under specific conditions described below.***

Please indicate by placing a check (☑) in the appropriate box the situations in which you give me specific permission to communicate with you via emails or texts, then sign on the bottom of the document.

I give Dr. Raphael permission to contact me at my designated email address **to schedule, change or cancel appointments, or to communicate non-clinical information.** I understand that in doing so information such as my name, the fact that I have appointments with Dr. Raphael, and the fact that I am consulting with Dr. Raphael may not be secure.

I give Dr. Raphael permission use the designated email address below to email ***messages by encrypted email and encrypted password protected pdf copies of statements, letters or reports by standard email.*** Instructions for retrieving and un-encrypting documents and emails will be communicated to me verbally or in a separate email.

**Designated Email Address:** \_\_\_\_\_

I give Dr. Raphael permission to contact me via text message to the following phone number: \_\_\_\_\_ . I understand Dr. Raphael will only communicate information related to scheduling, confirming, or changing appointments via text message.

**Do not communicate personal or confidential information in emails or text messages.** A good rule of thumb is to treat any email or text message as similar to a postcard: do not communicate private or confidential information using this technology. Finally, you should know that any emails sent to you or received from you become part of your client records.

Also, the office email is checked daily but not hourly or even frequently. Therefore, **do not communicate any urgent or time sensitive information via email or text messaging.** The best way to communicate with me quickly is to call.

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