



HIPAA Agreement

I. 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.

II. WILLOW TREE COUNSELING (WTC) HAS A LEGAL DUTY TO SAFEGUARD YOUR PROTECTED HEALTH INFORMATION (PHI)

WTC is legally required to protect the privacy of your PHI, which includes information that can be used to identify you that WTC created or received about your past, present, or future health or condition, the provision of health care to you, or the payment for this health care. WTC must provide you with this Notice about our privacy practices, and such Notice must explain how, when, and why WTC will "use" and "disclose" your PHI. A "use" of PHI occurs when WTC shares, examines, utilizes, applies, or analyzes such information within our practice; PHI is "disclosed" when it is released, transferred, has been given to, or is otherwise divulged to a third party outside of our practice. With some exceptions, WTC may not use or disclose any more of your PHI than is necessary to accomplish the purpose for which the use or disclosure is made. And, WTC is legally required to follow the privacy practices described in this Notice.

However, WTC reserves the right to change the terms of this Notice and our privacy policies at any time. Any changes will apply to PHI on file with WTC. Before WTC makes any important changes to our policies, WTC will post a new copy of it in our offices and on our website. You may also request a copy of this Notice from WTC, or you can view a copy of it in our offices or at our website, which is located at www.WillowTreeSantaRosa.com.

III. HOW WTC MAY USE AND DISCLOSE YOUR PHI.

WTC will use and disclose your PHI for many different reasons. For some of these uses or disclosures, WTC will need your prior authorization; for others, however, WTC does not. Listed below are the different categories of our uses and disclosures along with some examples of each category.

A. Uses and Disclosures Relating to Treatment, Payment, or Health Care Operations Do Not Require Your Prior Written Consent. WTC can use and disclose your PHI without your consent for the following reasons:

1. **For treatment.** WTC can disclose your PHI to physicians, psychiatrists, psychologists, and other licensed health care providers who provide you with health care services or are involved in your care. For example, if a psychiatrist is treating you, WTC can disclose your PHI to your psychiatrist in order to coordinate your care.
2. **To obtain payment for treatment.** WTC can use and disclose your PHI to bill and collect payment for the treatment and services provided by WTC to you. For example, WTC may provide your PHI to our business associates, such as billing companies, claims processing companies, and others that process our health care claims.
3. **For health care operations.** WTC can disclose your PHI to operate our practice. For example, WTC might use your PHI to evaluate the quality of health care services that you received or to evaluate the performance of the health care professionals who provided such services to you. WTC may also provide your PHI to our accountants, attorneys, consultants, and others to make sure WTC is complying with applicable laws.
4. **Other disclosures.** WTC may also disclose your PHI to others without your consent in certain situations. For example, your consent is not required if you need emergency treatment, as long as WTC attempts to get your consent after treatment is rendered, or if WTC tries to get your consent but you are unable to communicate with WTC (for example, if you are unconscious or in severe pain) and WTC thinks that you would consent to such treatment if you were able to do so.

B. Certain Uses and Disclosures Do Not Require Your Consent. WTC can use and disclose your PHI without your consent or authorization for the following reasons:

1. **When disclosure is required by federal, state or local law; judicial or administrative proceedings; or, law enforcement.** For example, WTC may make a disclosure to applicable officials when a law requires WTC to

report information to government agencies and law enforcement personnel about victims of abuse or neglect; or when ordered in a judicial or administrative proceeding.

2. **For public health activities.** For example, WTC may have to report information about you to the county coroner.
3. **For health oversight activities.** For example, WTC may have to provide information to assist the government when it conducts an investigation or inspection of a health care provider or organization.
4. **For research purposes.** In certain circumstances, WTC may provide PHI in order to conduct medical research.
5. **To avoid harm.** In order to avoid a serious threat to the PHI to law enforcement personnel or persons able to prevent or lessen such harm.
6. **For specific government functions.** WTC may disclose PHI of military personnel and veterans in certain situations. And WTC may disclose PHI for national security purposes, such as protecting the President of the United States or conducting intelligence operations.
7. **For workers' compensation purposes.** WTC may provide PHI in order to comply with workers' compensation laws.
8. **Appointment reminders and health related benefits or services.** WTC may use PHI to provide appointment reminders or give you information about treatment alternatives, or other health care services or benefits WTC offer.

C. Certain Uses and Disclosures Require You to Have the Opportunity to Object.

1. **Disclosures to family, friends, or others.** WTC may provide your PHI to a family member, friend, or other person that you indicate is involved in your care or the payment for your health care, unless you object in whole or in part. The opportunity to consent may be obtained retroactively in emergency situations.

D. Other Uses and Disclosures Require Your Prior Written Authorization. In any other situation not described in sections III A, B, and C above, WTC will ask for your written authorization before using or disclosing any of your PHI. If you choose to sign an authorization to disclose your PHI, you can later revoke such authorization in writing to stop any future uses and disclosures (to the extent that WTC haven't taken any action in reliance on such authorization) of your PHI by me.

IV. WHAT RIGHTS YOU HAVE REGARDING YOUR PHI

You have the following rights with respect to your PHI:

A. The Right to Request Limits on Uses and Disclosures of Your PHI. You have the right to ask that WTC limit how WTC use and disclose your PHI. WTC will consider your request, but WTC is not legally required to accept it. If WTC accepts your request, WTC will put any limits in writing and abide by them except in emergency situations. You may not limit the uses and disclosures that WTC is legally required or allowed to make.

B. The Right to Choose How WTC Send PHI to You. You have the right to ask that WTC send information to you to at an alternate address (for example, sending information to your work address rather than your home address) or by alternate means (for example, e-mail instead of regular mail) WTC must agree to your request so long as WTC can easily provide the PHI to you in the format you requested.

C. The Right to See and Get Copies of Your PHI. In most cases, you have the right to look at or get copies of your PHI that WTC has, but you must make the request in writing. If WTC don't have your PHI but WTC know who does, WTC will tell you how to get it. WTC will respond to you within 30 days of receiving your written request. In certain situations, WTC may deny your request. If WTC does, WTC will tell you, in writing, our reasons for the denial and explain your right to have our denial reviewed. If you request copies of your PHI, WTC will charge you not more than \$.25 for each page. Instead of providing the PHI you requested, WTC may provide you with a summary or explanation of the PHI as long as you agree to that and to the cost in advance.



D. The Right to Get a List of the Disclosures WTC Have Made.

You have the right to get a list of instances in which WTC have disclosed your PHI. The list will not include uses or disclosures that you have already consented to, such as those made for treatment, payment, or health care operations, directly to you, or to your family. The list also won't include uses and disclosures made for national security purposes, to corrections or law enforcement personnel, or disclosures made before April 15, 2003.

WTC will respond to your request for an accounting of disclosures within 60 days of receiving your request. The list WTC will give you will include disclosures made in the last six years unless you request a shorter time. The list will include the date of the disclosure, to whom PHI was disclosed (including their address, if known), a description of the information disclosed, and the reason for the disclosure. WTC will provide the list to you at no charge, but if you make more than one request in the same year, WTC will charge you a reasonable cost based fee for each additional request.

E. The Right to Correct or Update Your PHI. If you believe that there is a mistake in your PHI or that a piece of important information is missing, you have the right to request that WTC correct the existing information or add the missing information. You must provide the request and your reason for the request in writing. WTC will respond within 60 days of receiving your request to correct or update your PHI. WTC may deny your request in writing if the PHI is (WTC) correct and complete, (ii) not created by me, (iii) not allowed to be disclosed, or (iv) not part of our records. Our written denial will state the reasons for the denial and explain your right to file a written statement of disagreement with the denial. If you don't file one, you have the right to request that your request and our denial be attached to all future disclosures of your PHI. If WTC approve your request, WTC will make the change to your PHI, tell you that WTC have done it, and tell others that need to know about the change to your PHI.

F. The Right to Get This Notice by E-Mail. You have the right to get a copy of this notice by e-mail. Even if you have agreed to receive notice via e-mail, you also have the right to request a paper copy of it.

V. HOW TO COMPLAIN ABOUT OUR PRIVACY PRACTICES

If you think that WTC may have violated your privacy rights, or you disagree with a decision WTC made about access to your PHI, you may file a complaint with the person listed in Section VI below. You also may send a written complaint to the Secretary of the Department of Health and Human Services at 200 Independence Avenue S.W., Washington, D.C. 20201. WTC will take no retaliatory action against you if you file a complaint about our privacy practices.

VI. PERSON TO CONTACT FOR INFORMATION ABOUT THIS NOTICE OR TO COMPLAIN ABOUT OUR PRIVACY PRACTICES

If you have any questions about this notice or any complaints about our privacy practices, or would like to know how to file a complaint with the Secretary of the Department of Health and Human Services, please contact: Willow Tree Counseling 608 College Avenue, Santa Rosa, CA 95404

VII. EFFECTIVE DATE OF THIS NOTICE

This notice went into effect on July 1, 2014.

Our *HIPAA Agreement* provides information about how WTC may use and disclose your protected health information. WTC encourages you to read it in full. Our *HIPAA Agreement* is subject to change. If WTC changes our notice, you may obtain a copy of the revised notice from WTC by contacting us at (707) 200-2332 or checking our website www.WillowTreeSantaRosa.com.

If you have any questions about our *HIPAA Agreement*, please contact:

Willow Tree Counseling
608 College Avenue
Santa Rosa, CA 95404

