



HIPAA PRIVACY AND SECURITY STANDARDS

Policies and Practices to Protect the Privacy of Your Health Information (HIPPA Policy)

THIS NOTICE DESCRIBES HOW ALL MEDICAL INFORMATION ABOUT THE CLIENTS WE SERVE MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

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

MONARCH BEHAVIOR ANALYSIS, LLC (MBA) may use or disclose your protected health information (PHI) for treatment, payment, and health care operations purposes with your consent as stated on the online referral form.

To help clarify these terms, here are some definitions:

- **PHI**—refers to information in your health record that could identify you.
- **Treatment**—is when a health care professional provides, coordinates, or manages your health care and other services related to your health care.
- **Payment**—is when MBA obtains information about your healthcare benefits and eligibility and/or attempts to obtain and/or obtains reimbursement for your healthcare. Examples of payment are when MBA discloses your PHI to your health insurer to obtain reimbursement for your health care or to determine eligibility or coverage.
- **Health Care Operations**—is when MBA discloses your PHI to your health care service plan (for example your health insurer), or to other health care providers contracting with your plan, for administration of the plan, such as case management and care coordination.
- **Use**—applies to activities within the MBA office such as sharing, applying, utilizing, examining, and analyzing information that identifies you.
- **Disclosure**—applies to activities outside of MBA office such as releasing, transferring, or providing access to information about you to other parties.
- **Authorization**— means written permission for specific uses or disclosure.

II. Uses and Disclosures Requiring Authorization

MBA may use or disclose PHI for purposes outside of treatment, payment, and health care operations when an appropriate authorization is obtained. In those instances when MBA is asked for information for purposes outside of treatment and payment operations, MBA will obtain an authorization from you before releasing this information. MBA will also need to obtain an authorization before releasing your therapy progress notes. Therapy progress notes are notes your therapist has made about your conversation, actions, observations, etc., during an individual, group, joint or family treatment session, which are kept separate from the rest of your medical records. These notes are given a greater degree of protection of PHI. You may revoke all such authorizations of PHI at any time; however, the revocation or modification is not effective until received by MBA in writing.

Uses and Disclosures with Neither Consent nor Authorization

MBA may use or disclose PHI without your consent or authorization in the following circumstances:

- **Child Abuse:** If any MBA Team Member knows or suspects that a child has or is being abused, abandoned, neglected, or neglected, the law requires that they report such knowledge or suspicion to the proper authorities according to the county and state you reside in.
- **Adult and Domestic Abuse:** If any MBA Team Member knows or suspects, that a vulnerable adult (disabled or elderly) has been or is being abused, neglected, or exploited, they are required by law to

immediately report such knowledge or suspicion to the local number located in the Rights of Our Clients section.

- **Health Oversight:** If a complaint is filed and later is open for investigation; a subpoena for confidential health information from certain parties may requested and therefore shared.
- **Judicial or Administrative Proceedings:** If you are involved in a court proceeding and a request is made for information regarding your diagnosis or treatment and the records thereof, such information is privileged under state law, and MBA will not release information without the written authorization of you or your legal representative, or a subpoena of which you have been properly notified and you have failed to inform MBA that you are opposing the subpoena or a court order. The privilege does not apply when you are being evaluated by a third party or where the evaluation is court ordered. You will be informed in advance if this is the case.
- **Serious Threat to Health or Safety:** When you present a clear and immediate probability of physical harm to yourself, to other individuals, or to society, MBA must communicate relevant information concerning this to the potential victim, appropriate family member, or law enforcement or other appropriate authorities.

IV. Patients' Rights and Therapist's Rights:

- **Right to Request Restrictions:** You have the right to request restrictions on certain uses and disclosures of protected health information about you. However, MBA is not required to agree to a restriction you request.
- **Right to Received 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 alternative locations. For example, you may not want a family member to know you are in treatment. Upon request, MBA will send your bills to another address.
- **Right to Inspect and Copy:** You have the right to inspect or obtain a copy (or both) of PHI of MBA's treatment and billing records used to make decisions about you for as long as the PHI is maintained in the record. Upon your request, MBA will discuss the details of the request 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; however MBA may deny your request. On your request, MBA will discuss with you the details of the amendment process.
- **Right to an Accounting:** You generally have the right to receive an accounting of disclosures of PHI. On your request, MBA will discuss with you the details of the accounting process.
- **Right to a Paper Copy:** You have the right to obtain a paper copy of this notice from MBA upon request, even if you have agreed to receive this notice electronically.
- MBA is required by law to maintain the privacy of PHI and to provide you with a notice of MBA's legal duties and privacy practices with respect to PHI.
- MBA reserves the right to change the privacy policies and practices described in these notices. Unless you are notified of such changes, however, we are required to abide by the terms currently in effect.
- If MBA revises privacy policies and practices, they will make their best effort to contact you with this information in person, by telephone, by email, or by mail. For this reason, it is important that you notify MBA. immediately of any address, telephone, or email changes.



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V. **Complaints**

If you have questions about this notice, disagree with a decision MBA makes about access to your records, or have other concerns about your privacy rights, you may contact MBA at 617-470-982. You have specific rights under the privacy rule. MBA will not retaliate against you for exercising your right to file a complaint.