

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

Jane Legwold, LLC (JLLLC) may use or disclose your *protected health information (PHI)*, for treatment, payment, and health care operations purposes. JLLLC includes Jane Legwold (Jane) and those with whom JLLLC has a formal business contract.

To help clarify these terms, here are some definitions:

- **“PHI”** refers to information in your health record that could identify you.
- **“Treatment, Payment, and Health Care Operations”**
  - **Treatment** is when JLLLC provides, coordinates or manages your health care and other services related to your health care. An example of treatment would be when Jane consults with another health care provider, such as your family physician or another psychotherapist.
  - **Payment** is when JLLLC obtains reimbursement for your health care. Examples of payment are when Jane discloses your PHI to your health insurer to obtain reimbursement for your health care or to determine eligibility or coverage.
  - **Health Care Operations** are activities that relate to the performance and operation of our practice. Examples of health care operations are quality assessment and improvement activities, business-related matters, such as audits and administrative services, and case management and care coordination.
- **“Use”** applies only to activities within JLLLC, such as sharing, employing, applying, utilizing, examining, and analyzing information that identifies you.
- **“Disclosure”** applies to activities outside JLLLC, such as releasing, transferring, or providing access to information about you to other parties.

## II. Uses and Disclosures Requiring Authorization

JLLLC may use or disclose PHI for purposes outside of treatment, payment, or 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 JLLLC is asked for information for purposes outside of treatment, payment or health care operations, Jane will obtain an authorization from you before releasing this information. Jane will also need to obtain an authorization before releasing your psychotherapy notes. **“Psychotherapy notes”** are notes Jane made about your conversation during a private, group, joint, or family counseling session, which Jane might have kept separate from the rest of your medical 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 time, provided each revocation is in writing. You may not revoke an authorization to the extent that (1) JLLLC has taken action in reliance

on that authorization; 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

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

- **Child Abuse/ Neglect (as defined by law):** If Jane knows or has reason to believe a child is being neglected or physically or sexually abused, or has been neglected or physically or sexually abused within the preceding three years, Jane must immediately report the information to the local welfare agency, police or sheriff's department.
- **Adult and Domestic Abuse:** If Jane has reason to believe that a vulnerable adult is being or has been maltreated, or if she has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained, Jane must immediately report the information to the appropriate agency in this county. Jane may also report the information to a law enforcement agency.

**“Vulnerable adult”** means a person who, regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction:

- (i) that impairs the individual's ability to provide adequately for the individual's own care without assistance, including the provision of food, shelter, clothing, health care, or supervision; and
  - (ii) because of the dysfunction or infirmity and the need for assistance, the individual has an impaired ability to protect the individual from maltreatment.
- **Health Oversight Activities:** The Board of Nursing or Board of Marriage and Family Therapy may subpoena records from JLLLC if they are relevant to an investigation it is conducting.
  - **Judicial and Administrative Proceedings:** If you are involved in a court proceeding and a request is made for information about the professional services that Jane has provided you and/or the records thereof, such information is privileged under state law and JLLLC must not release this information without written authorization from you or your legally appointed representative, or a court order. This privilege does not apply when you are being evaluated for a third party or where the evaluation is court-ordered. JLLLC will inform you in advance if this is the case.
  - **Serious Threat to Health or Safety:** If you communicate a specific, serious threat of physical violence against a specific, clearly identified or identifiable potential victim, Jane must make reasonable efforts to communicate this threat to the potential victim

or to a law enforcement agency. Jane must also do so if a member of your family or someone who knows you well has reason to believe you are capable of and will carry out the threat. Jane also may disclose information about you necessary to protect you from a threat to commit suicide.

- **Workers Compensation:** If you file a worker's compensation claim, a release of information from JLLLC to you, your employer, insurer, or the Department of Labor and Industry will not need your prior approval.
- **Minors:** If you are a minor, your parents have a legal right to knowledge about your care. Please see JLLLC Treatment Consent form for more detailed clarification of JLLLC policies about treatment of minors.
- **In the Event of Death:** If you should die, your spouse or parents have the right of access to your record. You have the right to restrict this. Talk with your therapist about how to do this.

## IV. Patient's Rights and Psychotherapist's Duties

### Patient's Rights

- **Right to Request Restrictions** – You have the right to request restrictions on certain uses and disclosures of protected health information. However, JLLLC is not required to agree to a restriction you request.
- **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 that you are seeing a therapist. On your request, JLLLC 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 (and psychotherapy notes) in JLLLC mental health and billing records used to make decisions about you for as long as the PHI is maintained in the record. JLLLC may deny your access to PHI under certain circumstances, but in some cases, you may have this decision reviewed. On your request, Jane will discuss with you 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. JLLLC may deny your request. On your request, Jane 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 for which you have neither provided consent nor authorization (as described in Section III of this Notice). At your request, Jane 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 JLLLC upon request.

#### Psychotherapist's Duties

- JLLLC is required by law to maintain the privacy of PHI and to provide you with a notice of our legal duties and privacy practices with respect to PHI.
- JLLLC reserves the right to change the privacy policies and practice described in this notice. Unless JLLLC notifies you of such changes, however, JLLLC is required to abide by the terms currently in effect.
- JLLLC will post any substantive changes in the waiting room area, so please watch for these when you come for your appointment.

#### V. Complaints

If you are concerned that your privacy rights have been violated by Jane/JLLLC, or you disagree with a decision Jane/JLLLC has made about access to your records, first discuss your concerns with Jane. If this is not resolved to your satisfaction, you may make a written request for further information to the Jane Legwold, LLC, 4601 Excelsior Blvd, #501d, St. Louis Park, MN 55416.

You may also send a written complaint to the Secretary of the U.S. Department of Health and Human Services. The Jane can provide you with the appropriate address upon request.

#### VI. Changes to Privacy Policy, Restrictions, and Signature Acknowledging Receipt of Notice

Any limits on the uses or disclosures will be documented in your record.

JLLLC will obtain your signature acknowledging receipt of this notice, and this will be documented in your record.

Changes were last made to the notice of Privacy Policies and Practices on:



4601 Excelsior Boulevard  
Suite 501  
St. Louis Park, MN 55416  
Tel 952/927-0170  
Fax 952/927-7027

### **Jane Legwold, LLC Policies and Practices to Protect the Privacy of Patient Health Information**

THIS NOTICE DESCRIBES HOW MENTAL HEALTH AND MEDICAL INFORMATION ABOUT CLIENTS MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

At Jane Legwold, LLC (JLLLC), we are committed to treating and using protected health information about you responsibly. This notice of Health Information Policies and Practices describes the personal information we collect and how and when we use or disclose that information. It also describes your rights as they relate to your protected health information. This Notice is effective November 1, 2007 and applies to all protected health information as defined by federal regulation.

Any updates to this document will be posted in the JLLLC waiting room and copies will be available for your personal use. Please discuss any questions you may have with Jane.