

## **LOUISIANA NOTICE FORM**

### **Notice of Psychologist's Policies and Practices to Protect the Privacy of Your Health Information**

THIS NOTICE DESCRIBES HOW PSYCHOLOGICAL AND MEDICAL INFORMATION ABOUT YOU 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.**

I may use or disclose your protected health information (PHI) for treatment, payment, and health care operations purposes with your consent. 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 I provide, coordinate, or manage your health care and other services related to your health care. For example, if I consult with another health care provider, such as your family physician or another psychologist.  
*Payment* is when I obtain reimbursement for your health care. For example, if I disclose your PHI to a health insurer to obtain reimbursement for your health care or disclose PHI to determine insurance eligibility or coverage.  
*Health Care Operations* are activities that relate to the performance and operation of my practice. Examples include 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 my practice, such as examining information that identifies you.
- “Disclosure” applies to activities outside my office/practice, such as releasing, transferring, or providing access to information about you to other parties.

#### **II. Uses and Disclosures Requiring Authorization**

I 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 I am asked for information for purposes outside of treatment, payment, or health care operations, I will obtain an authorization from you before releasing this information. I will also need authorization before releasing psychotherapy notes.

“Psychotherapy notes” are notes I make about our conversation during private, group, joint, or family sessions, which are kept separate from the rest of your medical record. These notes are afforded more protection than PHI.

You may revoke all such authorizations (of PHI or psychotherapy notes) at any time, provided the revocation is in writing. You may not revoke an authorization to the extent that (1) I have relied 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 or Authorization**

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

- **Child Abuse** – If I have cause to believe that a child’s physical or mental health or welfare is endangered as a result of abuse or neglect or that abuse or neglect was a contributing factor in a child’s death, I must report this belief to Louisiana Department of Social Services.
- **Adult and Domestic Abuse** – If I have cause to believe that adult’s physical or mental health or welfare has been or may be further adversely affected by abuse, neglect, or exploitation, I must report this belief to the appropriate authorities as required by law. Please note that for the purposes of this section, “adult” refers to any person 60 years or older, any disabled person 18 years of age or older, or an emancipated minor.
- **Health Oversight Activities** – The Louisiana Board of Psychological Examiners may subpoena records from me relevant to its disciplinary proceedings and investigations.
- **Judicial and Administrative Proceedings** – If you are involved in a court proceeding and a request is made for information about your diagnosis and treatment and records thereof, such information is privileged under state law and I will not release information without your written authorization or court order. In the event of your death, your legally appointed representative will be given access if a suit is brought on your behalf of your estate. The privilege does not apply when you are being evaluated for a third party case or where the evaluation is court ordered. I will inform you in advance if this is the case.
- **Serious Threat to Health or Safety** – If you communicate to me a threat of physical violence, which I deem significant, against a clearly identified victim or victims, coupled with the apparent intent and ability to carry out such a threat, I must take reasonable precautions to provide protection from the violent behavior. These precautions include communicating the threat to the potential victim(s) and notifying law enforcement.
- **Worker’s Compensation** – If you file a worker’s compensation claim and I have treated you relevant to that claim, I must disclose any requested medical information and records relative to your injury to your employer, to a license and approved vocational rehabilitative counselor assigned to your claim, another health care provider examining you, or the worker’s compensation insurer.

### **IV. 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. However, I am 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, if you don't want a family member to know you are seeing me I can send bills to another address.

- Right to Inspect and Copy – You have the right to inspect and/or obtain a copy of PHI as long as PHI is maintained in the record. I may deny access to PHI under certain circumstances, but in some cases, you may have this decision reviewed. On your request, I will discuss with you 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. I may deny your request. On your request, I 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, I 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 the notice upon request, even if you have agreed to receive the notice electronically.

Psychologist's Duties:

- I am required by law to maintain the privacy of PHI and to provide you with a notice of my legal duties and privacy practices with respect to PHI.
- I reserve the right to change the privacy policies and practices described in this notice. Unless I notify you of such changes, however, I am required to abide by the terms currently in effect.
- If I revise my policies and procedures, I will provide you with written notice.

**V. Questions and Complaints**

If you have questions about this notice, disagree with a decision I make about access to your records, or have other concerns about your privacy rights, you may contact Leigh Anne B. Terrebonne, Ph.D., Psychologist, at 504-864-0800.

If you believe your privacy rights have been violated and wish to file a complaint with me, you may send your written complaint to:

Leigh Anne B. Terrebonne, Ph.D.

*Leigh Anne B. Terrebonne, Ph.D., Licensed Psychologist  
3705 Coliseum Street, New Orleans, LA 70115*

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

You have specific rights under the Privacy Rule. I will not retaliate against you for exercising your right to file a complaint.

**VI. Effective Date, Restrictions, and Changes to Privacy Policy**

This notice will go into effect on August 2006.

I reserve the right to change the terms of this notice and to make the new notice provisions effective for all PHI that I maintain. I will provide you with written notification of any revised notice during your visit to my office.