

Records Request

Texas law requires that requests for mental health records be made in writing. To obtain your records, or your child's records, please follow the steps below:

Submit a written request

Choose one of the following options:

- Via website: <https://myascounselingservices.com/client-forms> and please notify your therapist that you would like to obtain your records.
- Via Email: Email your written request to amelia.owen@myascounselingservices.com with subject line: "REQUEST FOR RECORDS"

You will be required to complete a Release of Information for Records. We attempt to get records to you as soon as possible but might take up to 14 business days to get these to you.

Additional requirements (if applicable):

- Litigation-related records If records are requested for use in litigation, please include:
 - Cause number

- Case title
 - Court where the case is pending
- Business Records Affidavit
 - If you require a Business Records Affidavit, indicate this in your request
 - Fee: \$15
 - Affidavits will not be provided until payment is received
- Records fee
 - Fee for providing records: \$25 for electronic records. There is a per page fee for paper records.
 - Accepted payment methods: credit cards or cash
 - Texas law does not require records to be released until fees are paid
- Family or third-party records If you are requesting:
 - Family counseling records
 - Records for anyone other than yourself or your child

State and federal law require either:

- A valid Court Order, or
- An Authorization signed by the individual (or parent/legal guardian)

Relevant law: 45 C.F.R. §164.512(e); Texas Health & Safety Code §§611.004, 611.0045, 611.008

Instructions for Attorneys and Document Companies

A subpoena alone is not sufficient to compel disclosure of confidential counseling or billing records, or other Protected Health Information (PHI), under HIPAA (45 C.F.R. Chapter 164).

For mental health or medical records requested or subpoenaed in litigation (including testimony), HIPAA permits disclosure only under the following circumstances:

1. In response to a valid court or administrative tribunal order, or
2. When the individual (or parent/legal guardian):
 - Is a party to the proceeding
 - Has notice that the PHI has been requested

- Does not object to the disclosure

An Authorization from the individual or parent satisfies this requirement.

Relevant law: 45 C.F.R. §164.512(e)

Important Note

If the client or parent has indicated that they do not consent to release of records:

- A “Statement of Assurance” will not be accepted
- A valid Authorization or Court Order will be required

Your request will be processed in accordance with applicable Texas law and federal privacy regulations (HIPAA).

How to File a Complaint

You have a right to have your complaints heard and resolved in a timely manner. If we cannot work things out to your satisfaction, you may file a complaint with our licensing board:

Texas Behavioral Health Executive Council
Attention: Enforcement
1801 Congress Avenue, Suite 7.300
Austin, TX 78701
Telephone: 1-800-821-3205

Link to Complaint Form: <http://www.bhec.texas.gov/wp-content/uploads/2020/07/BHEC-Complaint-Form.pdf>

If you have a complaint concerning the HIPAA Privacy Regulations, you may contact the U. S. Department of Health and Human Services, Office for Civil Rights, at: OCRMail@hhs.gov.

If you believe that you have a Consumer Complaint regarding the privacy and security of your health information, you may contact the Texas Office of the Attorney General and file a consumer complaint by clicking this link:

<https://www.texasattorneygeneral.gov/consumer-protection/health-care/patient-privacy>