

Divine Recovery Therapy LLC

HIPAA NOTICE OF PRIVACY PRACTICES

This Notice provides you with information on how your Protected Health Information (PHI) may be used, disclosed and how you can obtain access to this information.

Your PHI is Protected by Law

Your PHI is protected by state and federal law, including but not limited to the Health Insurance Portability and Accountability Act (“HIPAA”). PHI can only be disclosed with your express permission (authorization), or as required or permitted by law. In providing telehealth services, Divine Recovery Therapy, LLC and its staff (“DRT” or “Therapist”) uses secure online HIPAA protected platforms.

PHI includes information that was created or recorded by DRT in our work together that can be used to identify you. It contains information about your past, present, and/or future health or condition, the provision of health care services to you, and/or the payment for your health care. Your Therapist is required to provide you with this Notice about privacy procedures.

This Notice must explain when, why, and how your Therapist would use and/or disclose your PHI. Use of PHI means when your Therapist shares, applies, utilizes, examines, or analyzes information within the scope of practice. PHI is disclosed when your Therapist releases, transfers, gives, or otherwise reveals your information to a third party outside of DRT’s practice. Generally, DRT may not use or disclose more of your PHI than is necessary to accomplish the purpose for which the use or disclosure is made, and we are legally required to follow the privacy practices described in this Notice.

DRT reserves the right to modify the terms of this Notice and privacy practices at any time. Any changes will apply to PHI already on file. Prior notice will be provided before any substantive changes to these policies.

How We May Use and Disclose PHI About You

There are various situations in which DRT may need to use and disclose your PHI. Generally, DRT may not disclose your PHI without your permission (authorization) and must protect the confidentiality of your information. However, there are certain situations where your PHI is permitted or required to be used and/or disclosed without your consent.

1. Uses and Disclosures Related to Treatment or Payment. DRT may use and disclose your PHI without your consent, unless otherwise required by law, for the following reasons:
 - A. Treatment. DRT may disclose your PHI to other health care professionals who provide you with health care services or are otherwise involved in your care. In

these instances, your identifying information will be omitted or changed to the extent appropriate.

- B. Health Care Operations. Health care providers may disclose your PHI to facilitate the proper and efficient operation control of its practice. However, as a private practitioner/independent contractor DRT is not currently associated with any outside healthcare organization and will not need to disclose your information in this area. In the event of a change in the future, DRT will provide you with a copy of the updated policy.
 - C. Payment for Treatment. Health care providers may use and disclose PHI to bill and collect for treatment and services provided. However, DRT does not currently bill insurance companies for services so we will not be disclosing your information for this purpose. In the event of such change in the future, you will be informed and requested to provide adequate consent to release information to your insurance company for example in cases whereby you are seeking out of network benefits.
 - D. Patient Incapacitation or Emergency. DRT may disclose your PHI without your consent if you are incapacitated or if an emergency exists.
2. Certain Other Uses and Disclosures Do Not Require Your Consent. DRT may use and/or disclose your PHI without your consent or authorization for the following reasons:
- A. When disclosure is required by federal, state, or local law, judicial board, administrative proceedings, or law enforcement.
 - B. When disclosure is compelled by a party to a proceeding before a court of an administrative agency pursuant to its lawful authority.
 - C. When disclosure is required by a search warrant lawfully issued to a governmental law enforcement agency.
 - D. When disclosure is necessary to avoid harm DRT may provide PHI to emergency or law enforcement to prevent or mitigate a serious threat to the health or safety of a person or the public.
 - E. When disclosure is compelled or permitted by the fact that you are in such mental or emotional condition as to be dangerous to yourself or the person or property of others, and if it is determined that disclosure is necessary to prevent the threatened danger.
 - F. Pursuant to a court order or a judicially ordered subpoena.

- G. For public health activities, for health oversight activities, and for permitted specific government functions.
 - H. For Workers' Compensation purposes. DRT may provide PHI in order to comply with Workers Compensation laws.
 - I. If an arbitrator or arbitration panel compels disclosure, when arbitration is lawfully requested by either party, pursuant to a subpoena for mental health record, or any other provision authorizing disclosure in a proceeding before an arbitrator or arbitration panel.
 - J. If disclosure is otherwise specifically required by law.
 - K. DRT is permitted to contact you, without your prior authorization, to provide appointment reminders or information about alternative or other health-related benefits and services that may be of interest to you.
- 3. Certain Uses and Disclosures Require You to Have the Opportunity to Object. DRT may provide your PHI to a family member, friend, or other individual who you indicate is involved in your care or responsible for the payment for your health care, unless you object in whole or in part. Retroactive consent may be obtained in emergency situations.
 - 4. Other Uses and Disclosures Require Your Prior Written Authorization. In any other situation not described above, DRT will request your written authorization before using or disclosing any of your PHI. Even if you have signed an authorization to disclose your PHI, you may later revoke that authorization, in writing, to stop any future uses and disclosures (assuming your Therapist has not taken any action after the original authorization) of your PHI.

Your Health Privacy Rights Regarding Your PHI

- 1. Your rights with respect to your PHI are as follows:
 - A. The Right to See and Get Copies of Your PHI. In general, you have the right to see or obtain copies of your PHI that is in DRT's possession, so long as your request is made in writing. If DRT is not in possession of your PHI, but has knowledge of where your PHI is located, you will be advised how you can obtain that information. DRT will respond to your written request for PHI within 30 days of receipt. Under certain circumstances, DRT may deny your request as appropriate. If your request is denied, you will be provided with written advisement of the denial, the reasons for same and your right to have the denial reviewed. A nominal fee may be charged for requested copies of your PHI. If appropriate, DRT may provide you with a

summary or explanation of the PHI, but only if you agree to it, as well as to the cost, in advance.

- B. **The Right to Request Limits on Uses and Disclosures of Your PHI.** You have the right to ask that your Therapist limits how he or she uses and discloses your PHI. While your Therapist will consider your request, your Therapist is not legally bound to agree. If your Therapist does agree to your request, your Therapist will put those limits in writing and abide by them except in emergency situations. Your Therapist does not have the right to limit the uses and disclosures that he or she is legally required or permitted to make.
- C. **The Right to Choose How DRT Sends Your PHI to You.** It is your right to ask that your PHI be sent to you at an alternate address or by an alternate method. DRT is obliged to agree to your request provided that we can give you the PHI in the format you requested without undue inconvenience.
- D. **The Right to Get a List of the Disclosures DRT Has Made.** You are entitled to a list of disclosures of your PHI that DRT has made. The list will not include uses or disclosures to which you have already consented, sent directly to you, or to your family. The list will also not include disclosures made for national security purposes or to corrections or law enforcement personnel. All disclosure records will be held for the requisite period required by applicable state law.

DRT will respond to your request for an accounting of disclosures within 60 days of receiving your request. The list provided will include disclosures made in the previous six years unless you indicate a shorter period. The list will include the date of the disclosure, to whom PHI was disclosed (including address, if known), a description of the information disclosed, and the reason for the disclosure. DRT will provide the list to you at no cost, unless you make more than one request in the same year, in which case DRT may charge you a reasonable sum based on a set fee for each additional request.

- E. **The Right to Amend Your PHI.** If you believe there is some error in your PHI or important information has been omitted, it is your right to request that DRT correct the existing information or add the missing information. Your request and the reason for the request must be made in writing. You will receive a response within 60 days of DRT's receipt of your request. DRT may deny your request, in writing, if it finds that: the PHI is (a) correct and complete, (b) forbidden to be disclosed, (c) not part of DRT's records, or (d) written by someone else. DRT's denial must be in writing and must state the reasons for the denial. It must also explain your right to file a written statement objecting to the denial. If you do not file a written objection, you still have the right to ask that your request and my denial be attached to any future disclosures of your PHI. If DRT approves your request, it will make

the changes to your PHI. Additionally, DRT will tell you that the changes have been made and will advise all others who need to know about the changes to your PHI.

- F. The Right to Get This Notice by Email. You have the right to receive this notice by email. You have the right to request a paper copy of it, as well. An updated copy will also always be provided to you and posted on my website.

Complaints and Questions About my Privacy Practices

DRT is proud to uphold the ethics and professional standards of the National Association of Social Workers. However, should you ever have any concerns about your health privacy rights or DRT's privacy practices, we encourage you to let us know about any and all questions, concerns or complaints that you may have by contacting DRT at dhh@divinerecoverytherapy.com.

If, in your opinion, you believe that DRT may have violated your privacy rights, or if you object to a decision that was made about access to your PHI, you are entitled to file a complaint with the Secretary of the Department of Health and Human Services at 200 Independence Avenue S.W., Room 509F HHH Bldg., Washington, D.C. 20201. If you file a complaint about DRT's privacy practices, DRT will take no retaliatory action against you.