

NOTICE OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION

PLEASE REVIEW THIS NOTICE CAREFULLY

Effective Date: June 12, 2020

Our Duty Regarding Your Health Information:

Information about you and your health is confidential. Confidential health information includes all individually identifiable information, whether in electronic or physical form, that is in our possession or is derived from information you share in confidence with us regarding your medical or mental health history, a mental or physical condition, your mental or physical health treatment or payment for treatment. More specifically, the health information we create and maintain in our possession is information that relates to your participation in outpatient treatment with a psychotherapist. We are committed to protecting the privacy of this information. This notice tells you about the ways in which we may use and disclose health information about you, as well as certain obligations we have regarding the use and disclosure of your health information. It also describes your rights regarding your health information.

Our Responsibilities:

It is our responsibility to safeguard your health information. We are required to give you this Notice of Privacy Practices and to follow the terms of the notice currently in effect. We will notify you if we become aware of an unauthorized access, use or disclosure of your health information.

Changes to this Notice:

We reserve the right to change this Notice. We reserve the right to make the revised or changed notice effective for health information we already have about you as well as any information we receive in the future. A copy of the current notice is posted in our office and on our web site at **www.fusioncaregroup.com**. We are also providing you with a copy of this Notice of Privacy Practices as part of your initial intake documentation.

How We May Use and Disclose Health Information About You:

The following categories describe different ways that we may use your health information and disclose your health information to other persons and entities. Not every use or disclosure in a category will be listed. However, all the ways we are permitted to use and disclose your health information will fall within one of the following categories.

- **Treatment:** We may use and disclose your health information to provide, coordinate or manage your health care and any related services. For example, information obtained from us or a member of our staff will be recorded in your record and used to determine the course of treatment for you. This includes consultation with other treatment team members. Your psychologist may communicate information to another health care

provider or third party within the same treatment team for the purposes of coordinating your continuing care and may make that information available electronically. We may also disclose your health information to another health care provider, professional or facility if necessary for your diagnosis or treatment.¹ We will request authorization from you in writing before we disclose your health information for any other purpose to another provider who is not associated with Fusion Care Group or any other third party. We may also disclose your health information to a family member, other relative, domestic partner or a close personal friend, or any other person identified by you, if the information is directly relevant to that person's involvement with your care or payment related to your care, after obtaining your consent or providing you with the opportunity to object to the disclosure and you express no objection.² Note that in the event of an emergency, we may disclose such information which we determine based upon our professional judgment to be in your best interest without obtaining your consent or providing you with the opportunity to object.

- **Payment:** We may use and disclose your health information to bill for services and to obtain payment from you, including, if necessary, the reporting of limited information necessary to pursue collection through a collection agency. With your consent, we may also disclose health information to your insurance company or other third-third party payor or guarantor. This may include the disclosure of health information to obtain prior authorization for treatment and procedures from your insurance plan. Your health information may also be disclosed in response to requests from your insurer, health care service, employee benefit plan or any governmental authority responsible for paying for health care services provided to you, to the extent necessary to allow responsibility for payment to be determined. In such cases you have a right to be provided with a copy of the request in writing within 30 days of the requestor's receipt of the information requested. Any information disclosed pursuant to this section will be limited to the minimum information necessary, and generally includes the nature of the services provided, the dates of services, the amount due and other relevant financial information.
- **For Health Care Operations:** We may use or disclose your health information for health care operations. For example, we may use a billing service, IT support, document management services, storage providers or other essential services. These uses and disclosures are necessary for the internal operation of our practice. When these operations involve third-parties who are not employees of Care Fusion Group, we call them "Business Associates" (as discussed below) and enter into agreements with them to protect your confidentiality.

Written Authorization Required:

Generally, we are not permitted to use or disclose your health information without your written authorization, except where disclosure is required or permitted by law. The authorization must state what information can be released, to whom, and for what purpose. It must be dated. You have the right to refuse to consent to disclosure without fearing any kind of pressure or retaliation. If you authorize us to use or disclose health information about you, you may limit the information to be used and/or disclosed and you may revoke the authorization in writing at any time. You also have the right to revoke your

¹ Cal. Civil Code section 56.10(c)(1); 56.104(e).

² Cal. Civil Code section 56.1007.

written authorization by providing us with notice, except to the extent that we have already acted in reliance on your authorization.

When Disclosure Is Required by Law:

Some of the circumstances where disclosure is required by law are:

- Where we reasonably suspect physical, emotional or sexual abuse, neglect or abandonment of a child, dependent adult or person 65 or older. You should know that sexual abuse of a child includes the creation of or streaming, downloading, storing or transmitting electronic images sexually depicting a child. This law is implicated even when a minor creates, streams, stores or transmits images of themselves such as when sexting with a friend.
- Where we have reason to believe that you may present a danger to others. If we believe that you are threatening serious bodily harm to another, we are required to take protective actions. These actions may include notifying the potential victim, contacting the police, or seeking hospitalization for you;
- Where we have reason to believe that you present a danger to yourself. If you threaten to harm yourself, we may be obligated to seek hospitalization for you or to contact family members or others who can help provide you with protection;

When Disclosure May Be Required:

Some of the circumstances where disclosure may be required are:

- Pursuant to a legal proceeding that is initiated by or brought against you. For example, if you place your mental status at issue in litigation, such as in a lawsuit seeking damages for severe emotional distress, the defendant may have the right to obtain your psychotherapy records and/or the testimony of your psychotherapist by issuing a subpoena. Your personal health information may then be shared with retained experts in the case and shared with other parties in the litigation. Potentially that information may even be shared with a jury or other fact finder. Please note that we will not release your protected health information in response to a subpoena without your written authorization, unless ordered to do so by a court order, except in cases where the records are sought for a workers' comp determination or proceeding, and even then, such release of information shall be reasonably limited to only that information necessary for the determination or proceeding.
- Business Associates. Some services in our practice we obtain through contracts with business associates. For example, we may contract with outside companies to provide legal services, accounting services, or billing services. When we contract with a business associate, we may disclose health information to the business associate so it can do the job we have asked it to do. To protect your health information, we enter into "Business Associate" agreements with them to require them to appropriately safeguard your health information.
- Comply with the law. We may disclose health information about you if otherwise required by state or federal laws.

Minors in Therapy

If you are under 18 years of age, the law may grant your parents or guardians the right to obtain information about your treatment and/or examine your treatment records. It is our policy to request a written agreement from your parents or guardians indicating that they consent to waive access to such information and/or access to your records. If they agree, we will provide them only with general information about our work together subject to your approval. If we feel it is important for them to know something to make sure that you and others around you are safe, we will encourage you to share the information with them during a family session, or we will share the information with them with your permission in the context of a scheduled session. However, if we think it is clinically necessary, we will involve them even without your permission if we have reason to believe there is a risk of harm to yourself or others or if another is harming you in any way.

Emergencies

Confidential treatment information may also be disclosed in the rare event of a medical or psychological emergency, meaning a sudden change in condition that may result in physical or psychological harm to you if left untreated.

Your Rights Regarding Medical Information About You:

You have the following rights regarding medical information we maintain about you:

- To obtain a copy of our Notice of Privacy Practices.
- To request a restriction on certain uses and disclosures of your information. This request must be in writing.
- To inspect and request a copy of your health record. Your request for inspection or copies, including electronic copies, must be in writing. A reasonable fee for copies will be charged. we may deny your request under very limited circumstances. If you are denied access to health information, you may request that the denial be reviewed by another health care professional of your choosing.
- To request an amendment to your health record if you feel the information is incorrect or incomplete. Your request must be made in writing and it must include a reason that supports the request.
- To obtain an accounting of disclosures to others of your health information. The accounting will provide information about disclosures made for purposes other than treatment, payment, health care operations, disclosures required by law or those you have authorized.
- To request confidential communications. You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. For example, you may ask that we only contact you at work or by mail. Your request must be in writing and specify the exact changes you are requesting.
- To revoke your authorization. You have the right to revoke your authorization for the use or disclosure of your health information except to the extent that action has already been taken.

- To choose someone to act for you. If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information. We will make sure the person has this authority and can act for you before we take any action.
- Complain about any aspect of our health information practices to the United States Department of Health and Human Services without fear of retaliation. Complaints about this notice should be directed in writing to:

Office for Civil Rights, Region IX
U.S. Department of Health and Human Services
50 United Nations Plaza, Room 322
San Francisco, CA 94102
Voice Phone (415) 437-8310
Fax (415) 437-8329
TDD (415) 437-8311