



CLEAR HARBOR COUNSELING PRIVACY PRACTICES

This notice involves your privacy rights and describes how information about you may be disclosed and how you can obtain access to this information.

Confidentiality:

As a rule, we will disclose no information about you, or the fact that you are our client, without your written consent. Our electronic medical record describes the services provided to you and contains the dates of your sessions, your diagnosis, functional status, symptoms, prognosis and progress, and any psychological testing reports. Health care providers are legally allowed to use or disclose records or information for treatment, payment, and health care operations purposes. However, we do not routinely disclose information in such circumstances, so we will require your permission in advance through your written authorization at the time the need for disclosure arises. Wisconsin law gives you the right to inspect and receive a copy of behavioral health and chemical dependency information to be disclosed. You may revoke your permission, in writing, at any time, by contacting your therapist.

Limits of Confidentiality”Possible Uses and Disclosures of Mental Health Records without Consent or Authorization.

There are some important exceptions to this rule of confidentiality as required by law. If you wish to receive mental health services from Clear Harbor Counseling, you must sign the form indicating that you understand and accept our policies about confidentiality and its limits. We may use or disclose records or other information about you without your consent or authorization in the following circumstances:

Emergency: If you are involved in a life-threatening emergency and we cannot ask your permission, we will share information if we believe you would have wanted us to do so, or if we believe it will be helpful to you.



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Limits of Confidentiality Continued:

Child Abuse Reporting: If we have reason to suspect that a child is abused or neglected, we are required by Wisconsin law to report the matter immediately to the location appropriate Department of Health and Human Services.

Adult Abuse Reporting: If we have reason to suspect that an elderly or incapacitated adult is abused, neglected or exploited, we are required by Wisconsin law to immediately make a report and provide relevant information to the location appropriate Department of Health and Human Services.

Health Oversight: Wisconsin law requires that licensed counselors [social workers; marriage and family therapists] report misconduct by a health care provider of their own profession. By policy, we also reserve the right to report misconduct by health care providers of other professions. By law, if you describe unprofessional conduct by another mental health provider of any profession, we are required to explain to you how to make such a report. If you are yourself a health care provider, we are required by law to report to your licensing board that you are in treatment with me if we believe your condition places the public at risk.

Wisconsin Licensing Boards have the power, when necessary, to subpoena relevant records in investigating a complaint of provider incompetence or misconduct.· **Court Proceedings:** If you are involved in a court proceeding and a request is made for information about your diagnosis and treatment and the records thereof, such information is privileged under state law, and we will not release information unless you provide written authorization or a judge issues a court order. If we receive a subpoena for records or testimony, we will notify you so you can file a motion to quash (block) the subpoena.



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Limits of Confidentiality Concluded:

Serious Threat to Health or Safety: Under Wisconsin law, if we are engaged in a professional situation and you communicate to me a specific and immediate threat to cause serious bodily injury or death, to an identified or to an identifiable person, and we believe you have the intent and ability to carry out that threat immediately or imminently, we are legally required to take steps to protect third parties. These precautions may include: warning the potential victim(s), or the parent or guardian of the potential victim(s), if under 18; notifying a law enforcement officer or seeking your hospitalization

By our own policy, we may also use and disclose medical information about you when necessary to prevent an immediate, serious threat to your own health and safety. If you become a party in a civil commitment hearing, we can be required to provide your records to the magistrate, your attorney or guardian ad litem, a court evaluator, or a law enforcement officer, whether you are a minor or an adult.

Workers Compensation: If you file a worker's compensation claim, we are required by law, upon request, to submit your relevant mental health information to you, your employer, the insurer, or a certified rehabilitation provider.

Records of Minors: Wisconsin has a number of laws that limit the confidentiality of the records of minors. For example, parents, regardless of custody, may not be denied access to their child's records; and evaluators in civil commitment cases have legal access to therapy records without notification or consent of parents or child. Other circumstances may also apply, and we will discuss these in detail if we provide services to minors.

Other uses and disclosures of information not covered by this notice or by the laws that apply to us will be made only with your written permission.



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Client's Rights and Provider's Duties

Right to Request Restrictions-You have the right to request restrictions on certain uses and disclosures of protected health information about you. You also have the right to request a limit on the medical information I disclose about you to someone who is involved in your care or the payment for your care. If you ask us to disclose information to another party, you may request that I limit the information I disclose.

To request restrictions, you must make your request in writing, and tell your therapist: 1) what information you want to limit; 2) whether you want to limit our use, disclosure or both; and 3) to whom you want the limits to apply.

Right to Inspect and Copy – In most cases, you have the right to inspect and copy your medical and billing records. To do this, you must submit your request in writing. If you request a copy of the information, we may charge a fee for the costs of copying and mailing. We may deny your request to inspect and copy in some circumstances. We may refuse to provide you access to certain psychotherapy notes or information compiled in reasonable anticipation of, or use in, a civil criminal, or administrative proceeding.

Right to Amend – If you feel that protected health information we have about you is incorrect or incomplete, you may ask me to amend the information. To request an amendment, your request must be made in writing, and submitted to me. In addition, you must provide a reason that supports your request. We may deny your request if you ask us to amend information that: 1) was not created by a CHC therapist; we will add your request to the information record; 2) is not part of the medical information kept by CHC; 3) is not part of the information which you would be permitted to inspect and copy; 4) is accurate and complete.



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Right to a copy of this notice – You have the right to a paper copy of this notice. You may ask your therapist to give you a copy of this notice at any time. Changes to this notice: CHC reserves the right to change its policies and/or to change this notice, and to make the changed notice effective for medical information we already have about you as well as any information we receive in the future. The notice will contain the effective date . A new copy will be given to you or posted in the waiting room. CHC will have copies of the current notice available upon request. Complaints: If you believe your privacy rights have been violated, you may file a complaint. To do this, you must submit your request in writing to the office. You may also send a written complaint to:

State of Wisconsin
Department of Health and Social Services
1 West Wilson St
Madison, WI 54701

Office of the Commissioner of Insurance
121 East Wilson
Madison, WI 53703.