



THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

What is “Medical Information”? The term “medical information” is synonymous with the terms “personal health information” and “protected health information” for purposes of this Notice. It essentially means any individually identifiable health information (either directly or indirectly identifiable), whether oral or recorded in any form or medium, that is created or received by a health care provider (CBS), health plan, or others **and** 2) relates to the past, present, or future physical or mental health or condition of an individual (you); the provision of health care (e.g., mental health) to an individual (you); or the past, present, or future payment for the provision of health care to an individual (you).

Center for Behavioral Sciences, Inc. (CBS) creates and maintains treatment records that contain individually identifiable health information about you. These records are generally referred to as “medical records” and this Notice, among other things, concerns the privacy and confidentiality of those records and the information contained therein.

Uses and Disclosures Without Your Authorization - For Treatment, Payment, or Health Care Operations

Federal privacy rules (regulations) allow health care providers (i.e. CBS behavior technicians and consultants) who have a direct treatment relationship with the patient (you) to use or disclose the patient’s personal health information, without the patient’s written authorization, to carry out the health care provider’s own treatment, payment, or health care operations. CBS may also disclose your protected health information for the treatment activities of any health care provider. This too can be done without your written authorization.

An example of a use or disclosure for treatment purposes: If CBS decides to consult with another licensed health care provider about your condition, CBS would be permitted to use and disclose your personal health information, which is otherwise confidential, in order to assist CBS providers in the diagnosis or treatment of your mental health condition.

Disclosures for treatment purposes are not limited to the minimum necessary standard because physicians and other health care providers need access to the full record and/or full and complete information in order to provide quality care. The word “treatment” includes, among other things, the coordination and management of health care among health care providers or by a health care provider with a third party, consultations between health care providers, and referrals of a patient for health care from one health care provider to another.

An example of a use or disclosure for payment purposes: If your health plan requests a copy of your health records, or a portion thereof, in order to determine whether or not payment is warranted under the terms of your policy or contract, CBS is permitted to use and disclose your personal health information.

An example of a use or disclosure for health care operations purposes: If your health plan decides to audit CBS in order to review competence and performance, or to detect possible fraud or abuse, your mental health records may be used or disclosed for those purposes.

PLEASE NOTE: A representative from CBS may contact you to provide appointment reminders or information about treatment alternatives or other health-related benefits and services that may be of interest to you. Your prior written authorization is not required for such contact.

Other Uses and Disclosures Without Your Authorization:

CBS may be required or permitted to disclose your personal health information without your written authorization. The following circumstances are examples of when such disclosures may or will be made:

- 1) To family members and others involved in the individual's healthcare or payment for care unless the individual has objected per § 164.510. Under the Omnibus Rule, this exception would also allow disclosures of information about deceased persons to family members and others involved in the deceased person's care prior to their death unless the deceased person objected prior to their death.
- 2) To personal representatives.

- 3) To business associates.
- 4) For facility directories if the patient has not objected.
- 5) As required by another law.
- 6) To avert a serious and imminent threat of harm.
- 7) For certain public health activities.
- 8) For certain health oversight activities.
- 9) For judicial or administrative proceedings if certain conditions are met.
- 10) For specified law enforcement purposes if certain conditions are met.
- 11) To the extent allowed by state workers compensation laws.
- 12) To coroners, medical examiners and funeral directors.
- 13) For research purposes if certain conditions are met. For certain specialized government functions, e.g., military, prisons, etc.
- 14) As indicated above, CBS is permitted to contact you without your prior authorization to provide appointment reminders or information about alternatives or other health-related benefits and services that may be of interest to you. Be sure to let CBS know where and by what means (e.g., telephone, letter, email, fax) you may be contacted.
- 15) If disclosure is compelled by the U. S. Secretary of Health and Human Services to investigate or determine CBS compliance with privacy requirements under the federal regulations (the "Privacy Rule").

Uses or Disclosures that Require Your Authorization: The types of uses or disclosures that require an authorization by law are psychotherapy notes, marketing, and sale of personal health information. Other uses and disclosures not described in the notice will be made only with your written authorization

PLEASE NOTE: The above list is not an exhaustive list, but informs you of most circumstances when disclosures without your written authorization may be made. Other uses and disclosures will generally (but not always) be made only with your written authorization, even though federal privacy regulations or state law may allow additional uses or disclosures without your written authorization. Uses or disclosures made with your written authorization will be limited in scope to the information specified in the authorization form, which must identify the information "in a specific and meaningful fashion." You may revoke your written authorization at any time, provided that the revocation is in writing and except to the extent that CBS have taken action in reliance on your written authorization. Your right to revoke an authorization is also limited if the authorization was obtained as a condition of obtaining insurance coverage for you. **California law protects your confidentiality or privacy more than the federal "Privacy Rule" and gives you greater rights than the federal rule does with respect to access to your records. CBS will abide by California law.** In general, uses or disclosures by CBS of your personal health information (without your authorization) will be limited to the minimum necessary to accomplish the intended purpose of the use or disclosure. Similarly, when CBS requests your personal health information from another health care provider, health plan or health care clearinghouse, CBS will make an effort to limit the information requested to the minimum necessary to accomplish the intended purpose of the request. As mentioned above, in the section dealing with uses or disclosures for treatment purposes, the "minimum necessary" standard does not apply to disclosures to or requests by a health care provider for treatment purposes because health care providers need complete access to information in order to provide quality care.

Your Rights Regarding Protected Health Information:

- 1) You have the right to request restrictions on certain uses and disclosures of protected health information about you, such as those necessary to carry out treatment, payment, or health care operations. CBS is not required to agree to your requested restriction. If CBS does agree, it will maintain a written record of the agreed upon restriction.
- 2) You have the right to receive confidential communications of protected health information from CBS by alternative means or at alternative locations.
- 3) You have the right to inspect and copy protected health information about you by making a specific request to do so in writing. This right to inspect and copy is not absolute – in other words, CBS is permitted to deny access for specified reasons.
- 4) You have the right to amend protected health information in my records by making a request to do so in a writing that provides a reason to support the requested amendment. This right to amend is not absolute – in other words, CBS is permitted to deny the requested amendment for specified reasons. **You also have the right, subject to limitations, to provide CBS with a written addendum with respect to any item or statement in your records that you believe to be incorrect or incomplete and to have the addendum become a part of your record.**
- 5) You have the right to receive an accounting from CBS of the disclosures of protected health information made by CBS in the six years prior to the date on which the accounting is requested. As with other rights, this right is not absolute. In other words, CBS is permitted to deny the request for specified reasons. For instance, CBS does not have to account for disclosures made in order to carry out treatment, payment or health care operations. CBS also

does not have to account for disclosures of protected health information that are made with your written authorization, since you have a right to receive a copy of any such authorization you might sign.

6) You have the right to obtain a paper copy of this notice from CBS upon request.

PLEASE NOTE: In order to avoid confusion or misunderstanding, CBS asks that if you wish to exercise any of the rights enumerated above, that you put your request in writing and deliver or send the writing to CBS. If you wish to learn more detailed information about any of the above rights, or their limitations, please let a CBS representative know. CBS is willing to discuss any of these matters with you. As mentioned elsewhere in this document, Kristen Montez is the Privacy Officer of CBS. Her contact information is kmontez@globalhealthcarelaw.com; (619) 431-0424; Kristen E. B. Montez, Esq. 4655 Cass St. #406 San Diego, CA 92109.

CBS Duties: CBS is required by law to maintain the privacy and confidentiality of your personal health information. This notice is intended to let you know of CBS's legal duties, your rights, and CBS's privacy practices with respect to such information. CBS is required to abide by the terms of the notice currently in effect. CBS reserves the right to change the terms of this notice and/or its privacy practices and to make the changes effective for all protected health information that CBS maintains, even if it was created or received prior to the effective date of the notice revision. If CBS makes a revision to this notice, CBS will make the notice available at its Irvine headquarters upon request on or after the effective date of the revision and CBS will post the revised notice in a clear and prominent location.

The Privacy Officer of CBS has a duty to develop, implement and adopt clear privacy policies and procedures for CBS and has done so. The Privacy Officer is the individual who is responsible for assuring that these privacy policies and procedures are followed by any current or future CBS. CBS has trained or will train any employees that may work for CBS so that they understand the privacy policies and procedures. In general, patient records, and information about patients, are treated as confidential in by CBS and are released to no one without the written authorization of the patient, except as indicated in this notice or except as may be otherwise permitted by law. Patient records are kept secured so that they are not readily available to those who do not need them.

You may complain to CBS and to the Secretary of the U.S. Department of Health and Human Services if you believe your privacy rights may have been violated by any CBS employee. You may file a complaint with CBS directly by simply providing CBS a writing that specifies the manner in which you believe the violation occurred, the approximate date of such occurrence, and any details that you believe will be helpful to CBS. The CBS telephone number to make the complaint is (949) 202-0257. CBS will not retaliate against you in any way for filing a complaint with CBS directly or with the Secretary. Complaints to the Secretary must be filed in writing. A complaint to the Secretary can be sent to U.S Department of Health and Human Services, 90 Seventh Street Federal Building, Suite 5-100, San Francisco, CA, 94103.

If you need or desire further information related to this Notice or its contents, or if you have any questions about this Notice or its contents, please feel free to contact CBS. CBS will do its best to answer your questions and to provide you with additional information.

This notice first became effective on February 1, 2018.

Acknowledgment:

I have received a copy of the Notice of Privacy Practices.

Date: _____

Signed: _____

Print Name: _____

If signing as a parent or guardian, please write the name of the patient:
