



CONFIDENTIALITY OF MENTAL HEALTH INFORMATION AND PSYCHOTHERAPY NOTES

The privacy and confidentiality of mental health information and psychotherapy notes maintained by this hospital is protected by Federal and State law and regulations. These protections go above and beyond the protections described in our hospital's general Notice of Privacy Practices. *If you have questions about this notice or would like further information, please contact the Privacy Officer at 897-1416.*

We recommend that you also take time to review the hospital's general Notice of Privacy Practices for information about how your health information may generally be used and disclosed by the hospital. The hospital's general Notice of Privacy Practices also provides information about how you may obtain access to your health information, including mental health information. If there is any conflict between the general Notice of Privacy Practices and this notice, the protections described in this notice will apply instead of the protections described in the general Notice of Privacy Practices.

CONFIDENTIALITY OF MENTAL HEALTH INFORMATION

With your general written consent, mental health information about you may be used by personnel within the hospital (or its business associates) in connection with their duties to provide you with treatment, obtain payment for that treatment, or conduct the hospital's business operations. Generally the hospital may not reveal mental health information about you to other persons outside of the hospital, *except in the following situations:*

- When the hospital has obtained your written authorization;
- To a personal representative who is authorized to make health care decisions on your behalf;
- To government agencies or private insurance companies in order to obtain payment for services we provided to you;
- To comply with a court order;
- To appropriate persons who are able to avert a serious and imminent threat to the health or safety of you or another person;
- To appropriate government authorities to locate a missing person or conduct a criminal investigation as permitted under Federal and State confidentiality laws;
- To other licensed hospital emergency services as permitted under Federal and State confidentiality laws;
- To the mental hygiene legal service offered by the State;
- To attorneys representing patients in an involuntary hospitalization proceeding;
- To authorized government officials for the purpose of monitoring or evaluating the quality of care provided by the hospital or its staff;
- To qualified researchers without your specific authorization when such research poses minimal risk to your privacy;
- To coroners and medical examiners to determine cause of death; and
- If you are an inmate, to a correctional facility which certifies that the information is necessary in order to provide you with health care, or in order to protect the health or safety of you or any other persons at the correctional facility.

CONFIDENTIALITY OF PSYCHOTHERAPY NOTES

Psychotherapy notes are notes by a mental health professional that document or analyze the contents of a conversation during a private counseling session – or during a group, joint, or family counseling session. If these notes are maintained separate from the rest of your medical records, they can only be used and disclosed as follows.

In general, psychotherapy notes may not be used or disclosed without your written authorization, except in the following circumstances.

With your general written consent, psychotherapy notes about you may be used and disclosed in the following situations:

- The mental health professional who created the notes may use them to provide you with further treatment;
- The mental health professional who created the notes may disclose them to students, trainees, or practitioners in mental health who are learning under supervision to practice or improve their skills in group, joint, family, or individual counseling;
- The mental health professional who created the notes may disclose them as necessary to defend his or herself, or the hospital, in a legal proceeding initiated by you or your personal representative;

Psychotherapy notes may be used and disclosed without your general written consent or written authorization in the following situations to comply with the law or meet an important public need:

- The mental health professional who created the notes may disclose them as required by law;
- The mental health professional who created the notes may disclose the notes to appropriate government authorities when necessary to avert a serious and imminent threat to the health or safety of you or another person;
- The mental health professional who created the notes may disclose them to the United States Department of Health and Human Services when that agency requests them in order to investigate the mental health professional's compliance, or the hospital's compliance, with Federal privacy and confidentiality laws and regulations; and
- The mental health professional who created the notes may disclose them to medical examiners and coroners if necessary to determine your cause of death.

All other uses and disclosures of psychotherapy notes require your special written authorization.

HOW TO OBTAIN COPIES OF THIS NOTICE

You have the right to a paper copy of this notice. You may request a paper copy at any time, even if you have previously agreed to receive this notice electronically. To do so, please call the Privacy Officer's office at 897-1416. You may also obtain a copy of this notice from our website at www.lbmc.org, or by requesting a copy at your next visit. We may change our privacy practices from time to time. If we do, we will revise this notice so you will have an accurate summary of our practices. The revised notice will apply to all of your information held by this program, and we will be required by law to abide by its terms. We will post any revised notice in our hospital reception area. You will also be able to obtain your own copy of the revised notice by accessing our website at www.lbmc.org, calling our office at 897-1416 or asking for one at the time of your next visit. The effective date of the notice will always be located in the top right corner of the first page.

HOW TO FILE A COMPLAINT

If you believe your privacy rights have been violated, you may file a complaint with us or with the Secretary of the Department of Health and Human Services. To file a complaint with us, please contact

Compliance Officer (Administration)
Long Beach Medical Center
455 East Bay Drive
Long Beach, NY 11561

No one will retaliate or take action against you for filing a complaint.