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Crystal Lake, IL. 60014

Silver Linings Neurobehavioral Diagnostics

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Notice of Policies and Practices to Protect the Privacy of Your Health Information

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

I. Uses and Disclosures for Treatment, Payment, and Health Care Operations

Silver Linings Neurobehavioral Diagnostics may *receive, use or disclose your protected health information (PHI)*, for *treatment, payment, and health care operations* or as *permitted by law* purposes. Any other disclosure of your PHI without your authorization is prohibited. To help clarify these terms, here are some definitions:

- “*PHI*” refers to information in your health record that could identify you. Some examples of PHI include your name, address, telephone and/or fax number, electronic mail address, social security number or other identification number, date of birth, date of treatment, treatment records, medical records, enrollment and claims records.
- “*Treatment, Payment, and Health Care Operations*”
 - *Treatment* is when we provide, coordinate, or manage your health care and other services related to your health care. An example of treatment would be when we consult with another health care provider, such as your family physician or another psychologist.
 - *Payment* is when we obtain reimbursement for your healthcare. Examples of payment are when we disclose your PHI to your health insurer to obtain reimbursement for your health care or to determine eligibility or coverage.
 - *Health Care Operations* are activities that relate to the performance and operation of the practice. Examples of health care operations are quality assessment and improvement activities, business-related matters such as audits and administrative services, and case management and care coordination.
- “*Use*” applies only to activities within Silver Linings Neurobehavioral Diagnostics such as sharing, employing, applying, utilizing, examining, and analyzing information that identifies you.
- “*Disclosure*” applies to activities outside of Silver Linings Neurobehavioral Diagnostics, such as releasing, transferring, or providing access to information about you to other parties.
- “*Authorization*” is your written permission to disclose confidential mental health information. All authorizations to disclose must be on a specific legally required form.

II. Other Uses and Disclosures Requiring Authorization

Silver Linings Neurobehavioral Diagnostics may use or disclose PHI for purposes outside of treatment, payment, or health care operations when your appropriate authorization is obtained. In those instances when asked for information for purposes outside of treatment, payment, or health care operations, Silver Linings Neurobehavioral Diagnostics will obtain an authorization from you before releasing this information. Silver Linings Neurobehavioral Diagnostics will also need to obtain an authorization before releasing your Psychotherapy Notes. “*Psychotherapy Notes*” are notes made about conversations during a private, group, joint, or family counseling session, which are kept separate from the rest of your record. These notes are given a greater degree of protection than PHI.

You may revoke all such authorizations (of PHI or Psychotherapy Notes) at any time, provided each revocation is in writing. You may not revoke an authorization to the extent that (1) Silver Linings Neurobehavioral Diagnostics has relied on that authorization; or (2) if the authorization was obtained as a condition of obtaining insurance coverage, law provides the insurer the right to contest the claim under the policy.

III. Uses and Disclosures without Authorization

Silver Linings Neurobehavioral Diagnostics may use or disclose PHI without your consent or authorization in the following circumstances:

- *Child Abuse and Neglect* – If any provider at Silver Linings Neurobehavioral Diagnostics has reasonable cause to believe a child known to Silver Linings Neurobehavioral Diagnostics in professional capacity may be an abused child or a neglected child, the provider must report this belief to the appropriate authorities.
- *Adult and Domestic Abuse, Neglect, and Exploitation* – If any provider at Silver Linings Neurobehavioral Diagnostics has reason to believe that an individual (who is protected by state law) has been abused, neglected, or financially exploited, the provider must report this belief to the appropriate authorities.
- *Health Oversight Activities* – Silver Linings Neurobehavioral Diagnostics may disclose protected health information regarding you to a health oversight agency for oversight activities authorized by law, including licensure or disciplinary actions. Silver Linings Neurobehavioral Diagnostics may also use and disclose PHI to review quality of care provided by our network of providers.
- *Judicial and Administrative Proceedings* – If you are involved in a court proceeding and a request is made for information by any party about your evaluation, diagnosis and treatment and the records thereof, such information is privileged under state law, and Silver Linings Neurobehavioral Diagnostics must not release such information without a court order or your authorization. Silver Linings Neurobehavioral Diagnostics can release the information directly to you on your request. Information about all other psychological services is also privileged and cannot be released without your authorization or a court order.

The privilege does not apply when you are being evaluated for a third party or where the evaluation is court ordered, there is a law enforcement search warrant, coroner’s request during investigations, subpoena in an arbitration or civil action, investigative subpoena of a government board, commission, or agency, or order of a board, commission, or administrative agency for purposes of adjudication pursuant to its lawful authority. You will be informed if this is the case.

- *Serious Threat to Health or Safety* – If you communicate to a provider at Silver Linings Neurobehavioral Diagnostics a specific threat of imminent harm against another individual or if a provider at Silver Linings Neurobehavioral Diagnostics believes that there is clear, imminent risk of physical or mental injury being inflicted against another individual, the provider may make disclosures that are believed necessary to protect that individual from harm. If a provider at Silver Linings Neurobehavioral Diagnostics believes that you present an imminent, serious risk of physical or mental injury or death to yourself, the provider may make disclosures considered necessary to protect you from harm.
- *Worker's Compensation* – Silver Linings Neurobehavioral Diagnostics may disclose protected health information regarding you as authorized by and to the extent necessary to comply with laws relating to worker's compensation or other similar programs, established by law, that provide benefits for work-related injuries or illness without regard to fault.

IV. Patient's Rights and Psychologist's Duties

Patient's Rights:

- *Right to Request Restrictions* – You have the right to request restrictions on certain uses and disclosures of protected health information. However, Silver Linings Neurobehavioral Diagnostics is not required to agree to a restriction you request.
- *Right to Receive Confidential Communications by Alternative Means and at Alternative Locations* – You have the right to request and receive confidential communications of PHI by alternative means and at alternative locations.
- *Right to Inspect and Copy* – You have the right to inspect or obtain a copy (or both) of PHI in Silver Linings Neurobehavioral Diagnostics mental health and billing records used to make decisions about you for as long as the PHI is maintained in the record and Psychotherapy Notes. On your request, Silver Linings Neurobehavioral Diagnostics will discuss with you the details of the request for access process.

You may not inspect or copy PHI compiled in reasonable anticipation of, or use in, a civil, criminal, or administrative action or proceeding, or PHI that is otherwise not subject to disclosure under federal or state law. In some circumstances, you may have a right to have this decision reviewed.

Psychologists may refrain from releasing test data to protect a client/patient or others from substantial harm, misuse or misrepresentation of the data or the test, and to maintain test security, recognizing that in many instances release of confidential information under these circumstances is regulated by law.

- *Right to Amend* – You have the right to request an amendment of PHI for as long as the PHI is maintained in the record. Silver Linings Neurobehavioral Diagnostics may deny your request. On your request, Silver Linings Neurobehavioral Diagnostics will discuss with you the details of the amendment process.
- *Right to an Accounting* – You generally have the right to receive an accounting of disclosures of PHI. On your request, Silver Linings Neurobehavioral Diagnostics will discuss with you the details of the accounting process.

- *Right to a Copy* – You have the right to obtain a paper copy of the notice from Silver Linings Neurobehavioral Diagnostics upon request, even if you have agreed to receive the notice electronically. Even if you requested a paper copy, you also have the right to receive a copy of this notice electronically.

Psychologist's Duties:

- Silver Linings Neurobehavioral Diagnostics is required by law to maintain the privacy of PHI and to provide you with a notice of legal duties and privacy practices with respect to PHI.
- Silver Linings Neurobehavioral Diagnostics reserves the right to change the privacy policies and practices described in this notice. Unless Silver Linings Neurobehavioral Diagnostics notifies you of such changes, however, Silver Linings Neurobehavioral Diagnostics is required to abide by the terms currently in effect.
- If Silver Linings Neurobehavioral Diagnostics revise policies and procedures, you will receive the changes either by giving you the revisions in person or by mail.

V. Complaints

If you are concerned that Silver Linings Neurobehavioral Diagnostics has violated your privacy rights, or you disagree with a decision made about access to your records, you may contact Christina Vocos, PsyD at 224-522-8049.

You may also send a written complaint to the Secretary of the U.S. Department of Health and Human Services if you believe that Silver Linings Neurobehavioral Diagnostics has violated your privacy rights. Silver Linings Neurobehavioral Diagnostics will not retaliate against you for filing a complaint.

VI. Effective Date, Restrictions, and Changes to Privacy Policy

Silver Linings Neurobehavioral Diagnostics must follow the privacy practices that are described in this notice, but also comply with any stricter requirements under federal or state law that may apply to our administration of your benefits. Silver Linings Neurobehavioral Diagnostics reserves the right to change the terms of this notice and to make the new notice provisions effective for all PHI maintained. If Silver Linings Neurobehavioral Diagnostics make any substantive changes to privacy practices, we will promptly change this notice and provide you with the revisions either by giving them to you in person or by mail. You may also request a copy of this notice anytime by contacting the office.

Contact

You may contact Silver Linings Neurobehavioral Diagnostics at the information listed below for further information about the complaint process or any of the information contained in this notice.

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This notice is effective on and after June 30, 2022.