

NOTICE OF PRIVACY PRACTICES

Client Name

Effective Date

PRIVACY PRACTICES NOTICE

THIS NOTICE INVOLVES YOUR PRIVACY RIGHTS
AND DESCRIBES HOW INFORMATION ABOUT YOU MAY BE DISCLOSED,
AND HOW YOU CAN OBTAIN ACCESS TO THIS INFORMATION.
PLEASE REVIEW IT CAREFULLY.

I. Confidentiality

As a rule, ICA will disclose no information about you, or the fact that you are our client, without your written consent. **ICA does not routinely disclose information in such circumstances, so will require your permission in advance, either through your consent at the onset of our relationship** (by signing the attached general consent form), **or through your written authorization at the time the need for disclosure arises.** You may revoke your permission, in writing, at any time, by contacting ICA.

II. "Limits of Confidentiality"

Possible Uses and Disclosures of Records without Consent or Authorization

There are some important exceptions to this rule of confidentiality - some exceptions created voluntarily by ICA's own choice, some because of policies in this office/agency, and some required by law. If you wish to receive services from ICA, you must sign the attached form indicating that you understand and accept ICA's policies about confidentiality and its limits. We will discuss these issues now, but you may reopen the conversation at any time during our work together.

ICA may use or disclose records or other information about you without your consent or authorization in the following circumstances, either by policy, or because legally required:

- **Emergency** If you are involved in a life-threatening emergency and ICA cannot ask your permission, ICA will share information if believed that you would have wanted ICA to do so, or if believed that it will be helpful to you.
- **Child Abuse Reporting**: If ICA staff have reason to suspect that a child is abused or neglected, they are required by California law to report the matter immediately to the California Department of Social Services.
- **Adult Abuse Reporting**: If ICA staff have reason to suspect that an elderly or incapacitated adult is abused, neglected or exploited, they are required by California law to immediately make a report and provide relevant information to the California Department of Welfare or Social Services.
- **Health Oversight**: California law requires that licensed social workers report misconduct by a provider of their own profession. By policy, ICA staff also reserve the right to report misconduct by health care providers of other professions. By law, if you describe unprofessional conduct by a mental health provider of any profession, ICA is required to explain to you how to make such a report. If you are yourself a health care provider, California 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 your records, such information is privileged under state law, and ICA will not release information unless you provide written authorization or a judge issues a court order. If ICA receives a subpoena for records or testimony, ICA staff will notify you so that you (or your

attorney or ICA) can file a motion to quash (block) the subpoena and can give reasons why I think your records should be protected from disclosure. However, while awaiting the judge's decision, ICA is required to place said records in a sealed envelope and provide them to the Clerk of Court. In California, parents' records may not be used as evidence (i.e., are privileged) in child custody cases, but a child's records do not have that same protection.

- **Serious Threat to Health or Safety**: Under California law, if ICA staff are engaged in their professional duties and you communicate to them a specific and immediate threat to cause serious bodily injury or death, to an identified or to an identifiable person, and ICA staff believe you have the intent and ability to carry out that threat immediately or imminently, they are legally required to take steps to protect third parties. These precautions may include 1) warning the potential victim(s), or the parent or guardian of the potential victim(s), if under 18, 2) notifying a law enforcement officer, or 3) seeking your hospitalization. By ICA's own policy, ICA may also use and disclose information about you when necessary to prevent an immediate, serious threat to your own health and safety.

- **Workers Compensation**: If you file a worker's compensation claim, ICA is required by law, upon request, to submit your relevant information to you, your employer, the insurer, or a certified rehabilitation provider.

- **Records of Minors**: California 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 CSB evaluators in civil commitment cases have legal access to records without notification or consent of parents or child.

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

III. Client's Rights and Agency's Duties:

- **Right to Request Restrictions**: You have the right to request restrictions on certain uses and disclosures of protected information about you. You also have the right to request a limit on the information ICA discloses about you to someone who is involved in your services or the payment for services you use. If you ask ICA to disclose information to another party, you may request that ICA limit the information disclosed. However, ICA is not required to agree to a restriction you request. To request restrictions, you must make your request in writing, and tell ICA: 1) what information you want to limit; 2) whether you want to limit use, disclosure or both; and 3) to whom you want the limits to apply.

- **Right to Receive Confidential Communications by Alternative Means and at Alternative Locations**: You have the right to request and receive confidential communications by alternative means and at alternative locations. (For example, you may not want a family member to know that you are using our services. Upon your request, ICA will send your bills to another address. You may also request that ICA contact you only at work, or that ICA staff not leave voice mail messages.) To request alternative communication, you must make your request in writing, specifying how or where you wish to be contacted.

- **Right to an Accounting of Disclosures**: You generally have the right to receive an accounting of disclosures of information for which you have neither provided consent nor authorization (as described in section III of this Notice). On your written request, ICA staff will discuss with you the details of the accounting process.

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

- **Right to Amend**: If you feel that protected information ICA has about you is incorrect or incomplete, you may ask ICA to amend the information. To request an amendment, your request must be made in writing, and submitted to ICA. In addition, you must provide a reason that supports your request. ICA may deny your request if you ask ICA to

amend information that: 1) was not created by ICA; ICA will add your request to the information record; 2) is not part of the information kept by ICA; 3) is not part of the information which you would be permitted to inspect and copy; 4) is accurate and complete.

· **Right To A Copy of This Notice:** You have the right to a paper copy of this notice. You may ask ICA to give you a copy of this notice at any time. Changes to this notice: ICA reserves the right to change policies and/or to change this notice, and to make the changed notice effective for information about you already in the possession of ICA as well as any information ICA may receive in the future. The notice will contain the effective date. A new copy will be given to you or posted in the office of ICA. ICA will have copies of the current notice available on 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 of ICA. You may also send a written complaint to the U.S. Department of Health and Human Services.

ACKNOWLEDGEMENT OF PRIVACY PRACTICES: NOTICE OF RECEIPT

Client Name Date

ACKNOWLEDGEMENT OF RECEIPT

By my signature below I, _____, acknowledge that I received a copy of the Notice of Privacy Practices.

Signature of Client (or Parent/Guardian)

Date

If this acknowledgement is signed by a personal representative on behalf of the client, complete the following:

Parent/Guardian Name: _____

Relationship to Client: _____

For Office Use Only

We attempted to obtain written acknowledgement of receipt of our Notice of Privacy Practices, but acknowledgement could not be obtained because:

- ☐ Individual refused to sign
- ☐ Communication barriers prohibited obtaining the acknowledgement
- ☐ An emergency situation prevented us from obtaining acknowledgement
- ☐ Other (please be specific):
