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## **NOTICE OF PRIVACY PRACTICES**

### **Life Tide Counseling, PC**

205 Ward Road, Suite 1, Swansboro, North Carolina, 28584

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**I. 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.**

**II. Life Tide Counseling, PC and your therapist as an independent contractor for Life Tide Counseling, PC ( both herein referred to as "LTC") HAVE A LEGAL DUTY TO SAFEGUARD YOUR PROTECTED HEALTH INFORMATION (herein referred to as "PHI")**

Life Tide Counseling, PC is a North Carolina Professional Corporation that uses licensed Counselors and Therapists who are either the principle owner of Life Tide Counseling, PC or who are in an "Independent Contractor Agreement" with Life Tide Counseling, PC to provide counseling services for Life Tide Counseling, PC. All Counselors and Therapists at Life Tide Counseling, PC are contractually obligated to independently safeguard your PHI in accordance with all laws, rulings, regulations, and codes of ethics that are applicable in North Carolina and that are discussed in this Notice of Privacy Practices ("Notice").

LTC is legally required to protect the privacy of your PHI, which includes information that can be used to identify you that LTC has created or received about your past, present, or future health or condition, the provision of health care to you, or the payment of this health care. LTC must provide you with this Notice about LTC's privacy practices, and such Notice must explain how, when, and why LTC will "use" and "disclose" your PHI. A "use" of PHI occurs when LTC shares, examines, utilizes, applies, or analyzes such information within LTC's practice; PHI is "disclosed" when it is released, transferred, has been given to, or is otherwise divulged to a third party outside of LTC's practice. With some exceptions, LTC may not use or disclose any more of your PHI than is necessary to accomplish the purpose for which the use or disclosure is made. And, LTC is legally required to follow the privacy practices described in this Notice.

However, LTC reserves the right to change the terms of this Notice and LTC privacy policies at any time. Any changes will apply to PHI on file with LTC already. Before LTC makes any important changes to its policies, LTC will promptly change this Notice and post a new copy of the Notice in its office and on its website (if applicable). You can also request a copy of this Notice from your therapist, or you can view a copy of it in the Life Tide Counseling, PC office or obtain a copy at [Lifetidecounseling.com](http://Lifetidecounseling.com).

### **III. HOW LTC MAY USE AND DISCLOSE YOUR PHI.**

LTC will use and disclose your PHI for many different reasons. For some of these uses or disclosures, LTC will need your prior authorization; for others, however, LTC does not need your prior authorization. Listed below are the different categories of LTC's uses and disclosures along with some examples of each category.

**A. Uses and Disclosures Relating to Treatment, Payment, or Health Care Operations Do Not Require Your Prior Written Consent.** LTC can use and disclose your PHI without your consent for the following reasons:

1. **For treatment.** LTC can disclose your PHI to physicians, psychiatrists, psychologists, and other licensed health care providers who provide you with health care services or are involved in your care. For example, if you're being treated by a psychiatrist, LTC can disclose your PHI to your psychiatrist in order to coordinate your care.
2. **To obtain payment for treatment.** LTC can use and disclose your PHI to bill and collect payment for the treatment and services provided by LTC to you. For example, LTC might send your PHI to your insurance company or health plan to get paid for the health care services that LTC has provided to you. LTC may also provide your PHI to its business associates and agents, such as its office personnel, billing companies, claims processing companies, and others that process its health care claims.
3. **For health care operations.** LTC can disclose your PHI to operate its practice. For example, LTC might use your PHI to evaluate the quality of health care services that you received or to evaluate the performance of the health care professionals who provided such services to you. LTC may also provide your PHI to our accountants, attorneys, consultants, and others to make sure it is complying with applicable laws.
4. **Other disclosures.** LTC may also disclose your PHI to others without your consent in certain situations. For example, your consent isn't required if you need emergency treatment, as long as LTC tries to get your consent after treatment is rendered, or if LTC tries to get your consent but you are unable to communicate with LTC (for example, if you are unconscious or in severe pain) and LTC thinks that you would consent to such treatment if you were able to do so.

**B. Certain Other Uses and Disclosures Do Not Require Your Consent.** LTC can use and disclose your PHI without your consent or authorization for the following reasons:

1. **When disclosure is required by federal, state or local law; judicial or administrative proceedings; or law enforcement.** For example, LTC may make a disclosure to applicable officials when a law requires LTC to report information to government agencies and law enforcement personnel about victims of abuse or neglect; or when ordered in a judicial or administrative proceeding.
2. **For public health activities.** For example, LTC may have to report information about you to the county coroner.
3. **For health oversight activities.** For example, LTC may have to provide information to assist the government when it conducts an investigation or inspection of a health care provider or organization.
4. **For research purposes.** In certain circumstances, LTC may provide PHI in order to conduct medical research.
5. **To avoid harm.** In order to avoid a serious threat to law enforcement personnel or persons able to prevent or lessen such harm.
6. **For specific government functions.** LTC may disclose PHI of military personnel and veterans in certain situations. And LTC may disclose PHI for national security purposes, such as protecting the President of the United States or conducting intelligence operations.
7. **For workers' compensation purposes.** LTC may provide PHI in order to comply with workers' compensation laws.
8. **Appointment reminders and health related benefits or services.** LTC may use PHI to provide appointment reminders or give you information about treatment alternatives, or other health care services or benefits LTC offers.

**C. Certain Uses and Disclosures Require You to Have the Opportunity to Object.**

1. **Disclosures to family, friends, or others.** LTC may provide your PHI to a family member, friend, or other person that you indicate is involved in your health care or the payment for your health care, unless you object in whole or in part. The opportunity to consent may be obtained retroactively in emergency situations.
2. Disclosure to insurance companies where you pay for your services out of pocket. Patients have the right to restrict certain disclosures of PHI to health plans/insurance companies if the patient pays out of pocket in full for the health care service.

**D. Other Uses and Disclosures Require Your Prior Written Authorization.** In any other situation not described in Sections III A, B, and C above, LTC will ask for your written authorization before using or disclosing any of your PHI. If you choose to sign an authorization to disclose your PHI, you can later revoke such authorization in writing to stop any future uses and disclosures (to the extent that LTC hasn't taken any action in reliance on such authorization) of your PHI by LTC.

**IV. WHAT RIGHTS YOU HAVE REGARDING YOUR PHI**

You have the following rights with respect to your PHI:

**A. The Right to Request Limits on Uses and Disclosures of Your PHI.** You have the right to ask that LTC limit how it uses and discloses your PHI. LTC will consider your request, but LTC is not legally required to accept it. If LTC accepts your request, LTC will put any limits in writing and abide by them except in emergency situations as detailed in Section III paragraph A(4) above. You may not limit the uses and disclosures that LTC is legally required or allowed to make.

**B. The Right to Choose How LTC Sends PHI to You.** You have the right to ask that LTC send information to you at an alternate address (for example, sending information to your work address rather than your home address) or by alternate means (for example, e-mail instead of regular mail). LTC must agree to your request so long as LTC can easily provide the PHI to you in the format you request.

**C. The Right to See and Obtain Copies of Your PHI.** In most cases, you have the right to look at or obtain copies of your PHI that LTC has, but you must make the request in writing. If LTC does not have your PHI but LTC knows who does, LTC will tell you how to obtain it. LTC will respond to you within 30 days of receiving your written request. In certain situations, LTC may deny your request. If LTC denies your request, LTC will tell you, in writing, the reasons for the denial and explain your right to have the denial reviewed. If you request copies of your PHI, LTC will charge you not more than \$0.25 for each page. Instead of providing the PHI you requested, LTC may provide you with a summary or explanation of the PHI as long as you agree to that and to the cost in advance.

**D. The Right to Obtain a List of the Disclosures that LTC Has Made.**

For a six (6) year period after you have terminated counseling you have the right to obtain a list of instances in which LTC has disclosed your PHI. The list will not include uses or disclosures that you have already consented to, such as those made for treatment, payment, or health care operations, directly to you, or to your family. The list also won't include uses and disclosures made for national security purposes, to corrections or law enforcement personnel, or disclosures made before April 15, 2003.

LTC will respond to your request for an accounting of disclosures within 60 days of receiving your request. The list LTC will give you will include disclosures made in the last six years unless you request a shorter time. The list will include the date of the disclosure, to whom PHI was disclosed (including their address, if known), a description of the information disclosed, and the reason for the disclosure. LTC will provide the list to you at no charge, but if you make more than one request in the same year, LTC will charge you a reasonable cost-based fee for each additional request.

**E. The Right to Correct or Update Your PHI.** If you believe that there is a mistake in your PHI or that a piece of important information is missing, you have the right to request that LTC correct the existing information or add the missing information. You must provide the request and your reason for the request in writing. LTC will respond within 60 days of receiving your request to correct or update your PHI. LTC may deny your request in writing if the PHI is (i) correct and complete, (ii) not created by LTC, (iii) not allowed to be disclosed, or (iv) not part of LTC's records. LTC's written denial will state the reasons for the denial and explain your right to file a written statement of disagreement with the denial. If you don't file a written statement of disagreement, you have the right to request that your request and LTC's denial be attached to all future disclosures of your PHI. If LTC approves your request, LTC will make the change to your PHI, tell you that LTC has done it, and tell others that need to know about the change to your PHI.

**F. The Right to This Notice by E-Mail.** You have the right to a copy of this notice by e-mail. Even if you have agreed to receive notice via e-mail, you also have the right to request a paper copy of it.

**G. Breach of Unsecured PHI.** Unsecured PHI is information that is not encrypted. Affected patients have the right to be notified following a breach of unsecured PHI.

#### **V. HOW TO COMPLAIN ABOUT LTC's PRIVACY PRACTICES**

If you think that LTC may have violated your privacy rights, or you disagree with a decision LTC made about access to your PHI, you may file a complaint with the person listed in Section VI below. You also may also file a written complaint with the federal government, please use the following contact information:

Office for Civil Rights  
U.S. Dept. of Health and Human Services  
200 Independence Avenue, S.W.  
Room 509F, HHH Building  
Washington, D.C. 20201

Toll-Free Phone: 1-(877) 696-6775

Website: <http://www.hhs.gov/ocr/privacy/hipaa/complaints/index.html>

Email: [OCRComplaint@hhs.gov](mailto:OCRComplaint@hhs.gov)

LTC will take no retaliatory action against you if you file a complaint about its privacy practices.

#### **VI. PERSON TO CONTACT FOR INFORMATION ABOUT THIS NOTICE OR TO COMPLAIN ABOUT LTC's PRIVACY PRACTICES**

If you have any questions about this notice or any complaints about LTC's privacy practices, or would like to know how to file a complaint with the Secretary of the Department of Health and Human Services, please contact LTC at: Life Tide Counseling, PC, P.O. Box 1216, Swansboro, NC 28584-1216 Or at 910-326-8881 or [mftcorner@aol.com](mailto:mftcorner@aol.com)

#### **VII. EFFECTIVE DATE OF THIS NOTICE**

This notice went into effect on February 26, 2013