

Notice of Privacy Practices

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THIS NOTICE DESCRIBES HOW YOUR HEALTH INFORMATION MAY BE USED AND DISCLOSED AND HOW YOU CAN ACCESS IT. PLEASE REVIEW IT CAREFULLY.

Your privacy and this practice

I am required by law to protect the privacy and security of your protected health information (PHI), give you this notice, follow its terms, and notify you following a breach of unsecured PHI when required by law. This notice describes federal privacy rights and the additional confidentiality protections that may apply under Georgia law and professional ethics. Where another applicable law provides greater privacy protection, I follow that law. I may revise this notice; a revised notice will apply to PHI I maintain and will be available in my office, upon request, and on my website if I maintain one.

How I may use and disclose information

Treatment: I use information to provide and coordinate your care. Consultation or supervision may occur as allowed by applicable Georgia confidentiality rules and professional standards, with reasonable safeguards. Disclosures to outside providers or other parties will be limited by applicable law and my practice policies; I will obtain consent or authorization when required.

Payment: With the consent or authorization required by applicable law and ethical standards, I may share necessary information for insurance claims, eligibility, utilization review, and collection of payment. If you pay in full out of pocket for a service and request that I not disclose information about that service to your health plan for payment or health care operations, I must honor that request except where disclosure is required by law.

Health care operations: I may use PHI for legally permitted practice operations, such as quality improvement, professional compliance, audits, and billing administration, subject to applicable confidentiality requirements. Vendors handling PHI for my practice, including my electronic health record provider, must have appropriate business associate agreements when HIPAA requires them. I use SimplePractice to manage electronic practice records and related services.

Other permitted or required disclosures: Depending on applicable law, information may be disclosed for public health or health oversight activities, mandatory reporting, certain legal proceedings, lawful requests by authorities, or to prevent or lessen a serious and imminent threat. Not every HIPAA-permitted disclosure is permissible under Georgia law or professional ethics. I assess each request individually and disclose only what is legally appropriate.

Confidentiality exceptions and special circumstances

Child abuse or neglect: I make reports when Georgia mandatory-reporting law requires them.

Abuse, neglect, or exploitation of vulnerable adults: I report when applicable Georgia law requires reporting, taking account of the statutory definitions and reporting duties.

Safety: When there is a clear and imminent danger or another legally recognized emergency, I may take reasonable protective steps, including notifying appropriate persons or authorities, consistent with law and professional standards.

Legal process: Therapy communications may be privileged under Georgia law. A subpoena alone does not necessarily authorize release of confidential records. I evaluate subpoenas, court orders, and other demands under HIPAA, Georgia law, and applicable privilege rules, and seek to limit disclosure where appropriate.

Family, friends, and personal representatives: I generally seek your permission before sharing information with people involved in your care. Special rules apply to minors, legal representatives, and emergencies. For couples or family therapy, I explain confidentiality and information-sharing policies separately.

Deceased clients: Confidentiality continues after death, subject to legally permitted or required disclosures. HIPAA generally protects PHI for 50 years after death.

Psychotherapy notes and written authorizations

Psychotherapy notes, if maintained separately from the medical record and meeting HIPAA's definition, receive special protection. Most uses and disclosures of these notes require your written authorization, subject to limited legal exceptions. Most marketing uses, sales of PHI, and other uses not described or otherwise permitted by law also require written authorization. You may revoke an authorization in writing, except to the extent I have already relied on it.

Substance use disorder treatment records (42 CFR Part 2)

If I receive or maintain substance use disorder patient records protected by 42 CFR Part 2, additional federal protections apply. Such records generally may not be used or disclosed in civil, criminal, administrative, or legislative proceedings against you without your specific written consent or a qualifying court order accompanied by a subpoena or similar legal mandate, as applicable. Part 2 records may have additional consent, redisclosure, and fundraising protections. I will apply those protections when relevant. This notice does not mean that my practice is itself a federally assisted Part 2 program.

Your rights

Access: You may request to inspect or receive a paper or electronic copy of PHI in your designated record set. I ordinarily respond within 30 days; HIPAA permits one 30-day extension with written explanation. Certain information, including separately maintained psychotherapy notes, may be excluded, and denials are allowed only on legally specified grounds. Reasonable, cost-based fees may apply.

Amendment: You may ask to correct PHI in your designated record set. I ordinarily respond within 60 days; one 30-day extension may be permitted with notice. You may submit a statement of disagreement if I deny your request.

Accounting: You may request an accounting of certain disclosures, subject to applicable exclusions and time limits.

Restrictions: You may request limits on certain uses or disclosures. I need not agree except for qualifying requests to restrict disclosures to a health plan for a service paid in full out of pocket, as described above.

Confidential communications: You may request reasonable alternative ways or locations for communications, and I will accommodate reasonable requests.

Other rights: You may request a paper copy of this notice, authorize another person to act for you where legally valid, and file a privacy complaint without retaliation.

Electronic records and communications

I use SimplePractice for electronic records and related practice functions. Electronic communications, including email, text messages, and telehealth, may involve privacy risks. I use reasonable safeguards and discuss the communication methods available to clients, their preferences, and any relevant risks in separate practice policies and informed-consent materials. Email or text should not be used for emergencies. This notice does not promise that all electronic communications are encrypted or that any specific SimplePractice feature is enabled.

Complaints and contact information

Contact the Privacy Officer: Abigail S. Holbrook, MSW, LCSW, 1551 Jennings Mill Rd., Suite 1900A, Watkinsville, GA 30677; 706-424-4814; abbie@holbrookcounseling.com. You may also file a complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, through <https://www.hhs.gov/ocr/complaints/>. You will not be retaliated against for filing a complaint.