

Notice of Privacy and Confidentiality Practices

Counseling Services University of Houston-Clear Lake

THIS NOTICE DESCRIBES HOW COUNSELING INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION

PLEASE REVIEW IT CAREFULLY

1. PURPOSE: Counseling Services and its professional staff, employees, and trainees follow the privacy and confidentiality practices described in this Notice. Counseling Services keeps your counseling information in records that will be maintained and protected in a confidential manner, as required by law.

2. WHO HAS ACCESS TO YOUR COUNSELING SERVICES RECORD?

In order to provide you with the best possible services, all professional staff of Counseling Services involved in your treatment and employees involved in the counseling operations of the agency may have access to your records. Information may be shared among different service providers who are involved in your treatment. For example, if you are seeing both a psychiatrist and therapist or therapist and the Case Manager, they may share information in the process of coordinating your care and any possible referrals for additional support. Counseling Services records may be reviewed as part of an on-going process directed toward assuring the quality of agency operations.

3. WHAT IS INCLUDED IN A COUNSELING SERVICES RECORD, AND HOW LONG IS IT KEPT?

Your Counseling Services record may include any or all of the following information:

- Initial consultation documents and other documents you fill out
- Your therapist's documentation of the concerns and symptoms you describe, and the information provided about your personal history
- Therapy goals and treatment plan
- Records of therapy contacts and sessions, including topics discussed, therapeutic approach utilized, therapist observations, progress toward goals, and any risks that need to be addressed
- Psychological testing data and results
- Psychiatric evaluation, treatment, and follow-up information
- Documents you provide to us that we keep
- Treatment records forwarded to us by other service providers
- Records of Consultation or Information provided about you by a collateral source
- Records of case management contacts and meetings, including information you provide and any referral information.

Your Counseling Services record does **not** include any subjective psychotherapy notes or electronic recordings used by your therapist to prepare the record or to note significant content or process from session to session.

Your Counseling Services record is maintained as a combination of paper and electronic documents. Both formats are stored with a very high level of secure protection. Your Counseling Services record will be retained by Counseling Services for approximately seven years after your last clinical contact with the agency. After that time has elapsed, the record will be destroyed in a way that protects your privacy.

4. UNDER WHAT CIRCUMSTANCES MIGHT MY CONFIDENTIAL COUNSELING SERVICES INFORMATION BE DISCLOSED?

Your records may be used for the following purposes:

- Appointment reminders (unless you request otherwise in writing)
- Notification when an appointment is cancelled or rescheduled by Counseling Services (unless you request otherwise in writing)
- **Reporting of child or elder abuse or neglect (as required by law)**
- Mental health oversight activities (e.g., audits, inspections or investigations of administration and management of Counseling Services)
- Lawsuits and disputes (We will attempt to provide you notice of any subpoena we receive before disclosing information from your record.)
- Law enforcement (e.g., in response to a court order or other legal process) to identify or locate an individual being sought by authorities; about victim of a crime under restricted circumstances; about a death that may be the result of criminal conduct; about criminal conduct that occurred in Counseling Services; when emergency circumstances occur relating to a crime.)
- **To prevent a serious threat to the health or safety of yourself or any other person (such disclosure may be to medical personnel, law enforcement personnel, university personnel, or to family or other appropriate individuals in order to protect you or others)**
- To military command authorities if you are a member of the armed forces or a member of a foreign military authority
- National security and intelligence activities

- Protection of the President or other authorized persons for foreign heads of state, or to conduct special investigations
- As may otherwise be required by law
- Alcohol and drug abuse information has special privacy protections. Counseling Services will not disclose any information identifying an individual as being a client or provide any mental health or medical information relating to a client's substance abuse treatment unless: (i) the client consents in writing; (ii) a court order requires disclosure of the information; (iii) medical personnel need the information to meet a medical emergency; (iv) qualified personnel use the information for the purpose of conducting research, management audits, or program evaluation; or (v) it is necessary to report a crime or a threat to commit a crime or to report abuse or neglect as required by law.

5. YOUR AUTHORIZATION IS REQUIRED FOR OTHER DISCLOSURES.

Except as described previously, we will not use or disclose information from your record unless you authorize in writing Counseling Services to do so. You may revoke your permission, which will be effective only after the date of your written revocation.

6. YOU HAVE RIGHTS REGARDING YOUR PROTECTED COUNSELING INFORMATION.

You have the following rights regarding your counseling information, provided that you make a written request to invoke the right on the form provided by Counseling Services.

- Right to request restriction. You may request limitations on your mental health information we may disclose, but we are not required to agree to your request. If we agree, we will comply with your request unless the information is needed to provide you with emergency treatment.
- Right to confidential communications. You may request communications in a certain form or at a certain location (e.g., only at home), but you must specify in writing how or where you wish to be contacted.
- Right to inspect and copy information. You have the right to request to inspect and copy your therapy record; however, psychotherapy notes may not be inspected and copied. We may charge a fee for copying, mailing, and supplies. Under limited circumstances, your request may be denied. In that case, you may request review of the denial by another licensed mental health professional chosen by Counseling Services. Counseling Services will comply with the outcome of the review.
- Right to request that your record be amended. If you believe that the information we have about you is incorrect or incomplete you may ask us to add clarifying information. We will provide a form for that purpose. Counseling Services is not required to agree to the requested amendment.
- Right to accounting of disclosures. You may request a list of the disclosures of your counseling information that have been made to persons or entities other than for treatment or health care operations in the last six (6) years.
- Right to a copy of this Notice. You may request a copy of this Notice at any time.

7. CHANGES IN POLICY.

Counseling Services may change its policies or procedures in regard to privacy practices. If and when changes occur, the changes will be effective for information we already have about you as well as any information we receive in the future. Any time you come in to Counseling Services for an appointment, you may ask for and receive a copy of the Privacy Notice that is in effect at the time.

8. COMPLAINTS AND QUESTIONS.

If you believe your privacy rights have been violated, you may file a complaint with Counseling Services, or with the office of the Associate Vice President for Student Affairs. You will not be penalized or retaliated against in any way for making a complaint.

Contact: Call Counseling Services and ask to speak to the Executive Director for Counseling Services if:

- you have a complaint
- you have any questions about this notice
- you wish to request restrictions on uses and disclosure of counseling information
- you wish to obtain any of the forms mentioned to exercise your individual rights described above

Contact Information:

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