

## Privacy Practices Policy All Programs

### Policy and Procedure

Subject	Number	Date Issued	Date Revised	Date Effective
Privacy Practices Policy	I008_ALL	4-1-2015	4-1-2016	4-15-2016
<b>Originated By:</b>		<b>Approved By:</b>		
Jonathan Ciampi		Lois Zsarnay		

**Purpose:** This document describes how medical information about clients may be used and disclosed and how patients can get access to this information.

**Policy:**

As the healthcare providers providing online mental health services through Bright Heart Health (the “Healthcare Providers”, “us”, “we”, “our”), we understand that information about a patient’s health is personal. Because of this, we strive to maintain the confidentiality of our client’s health information. We continuously seek to safeguard that information through administrative, physical and technical means, and otherwise abide by applicable federal and state guidelines.

**Disclosure of Health Information**

We use and disclose our client’s health information for the normal business activities that the law sees as falling in the categories of treatment, payment and health care operations. Below we provide examples of those activities, although not every use or disclosure falling within each category is listed:

*Treatment* – We keep a record of the health information on each client. This record may include test results, diagnoses, medications, response to medications or other therapies, and information we learn about our client’s medical condition through the online services. We may disclose this information so that other medical doctors, psychiatrists, psychologists, counselors, dietitians, and other licensed professionals can meet the client’s healthcare needs.

*Payment* – We document the services received when we are providing care so that our client’s, client’s insurance company or another third party can pay us. We may tell the client’s health plan about upcoming treatment or services that require prior approval by the health plan.

*Health Care Operations* – Health information is used to improve the services we provide, to train staff and students, for business management, quality improvement, and for customer service. For example, we may use our client’s health information to review our treatment and services and to evaluate the performance of our staff in providing care.

We may also use our client’s health information to:

- Comply with federal, state or local laws that require disclosure.
- Inform authorities to protect victims of abuse or neglect.
- Comply with Federal and state health oversight activities such as fraud investigations.

- Respond to law enforcement officials or to judicial orders, subpoenas or other process.
- Inform coroners, medical examiners and funeral directors of information necessary for them to fulfill their duties.
- Conduct research following internal review protocols to ensure the balancing of privacy and research needs.
- Avert a serious threat to health or safety.
- Assist in specialized government functions such as national security, intelligence and protective services.
- Inform military and veteran authorities if a client is an armed forces member (active or reserve).
- Inform a correctional institution if the client is an inmate.
- Inform workers' compensation carriers or employers if a client is injured at work.
- Recommend treatment alternatives.
- Tell clients about health-related products and services.
- Communicate within our organization for treatment, payment, or health care operations.
- Communicate with other providers, health plans, or their related entities for their treatment or payment activities, or health care operations activities relating to quality assessment or licensing.
- Provide information to other third parties with whom we do business, such as a record storage provider. However, clients should know that in these situations, we require third parties to provide us with assurances that they will safeguard our client's information.

We may also use or disclose personal or health information for the following operational purposes. For example, we may:

- Communicate with individuals involved in the client's care or payment for that care, such as friends and family.
- Send appointment reminders.
- Clients may tell us that he or she does not want us to use or disclose information for these two activities.
- All other uses and disclosures, not previously described, may only be done with a client's written authorization. For example, we need authorization before we disclose psychotherapy notes. We will also obtain authorization before we use or disclose health information for marketing purposes. Clients may revoke his or her authorization at any time; however, this will not affect prior uses and disclosures.

In some cases state law may require that we apply extra protections to some of a client's health information.

### **Bright Heart Health's Responsibilities**

We are required by law to:

- Maintain the privacy of our client's health information
- Provide this notice of our duties and privacy practices
- Abide by the terms of the notice currently in effect.
- Tell client's if there has been a breach that compromises to his or her health information.

We reserve the right to change privacy practices, and make the new practices effective for all the information we maintain. Revised notices will be posted on the Bright Heart Health website.

### **Client's Federal Rights**

The law entitles clients to:

- Inspect and copy certain portions of his or her health information. In most cases this will not include psychotherapy notes and we may deny the request under limited circumstances. (Fees may apply to this request). If we keep records electronically, client's may request that we provide them to him or her in an electronic format.
- Request amendment of a client's health information if the client feels the health information is incorrect or incomplete. (However, under certain circumstances we may deny the request.)
- Receive an accounting of certain disclosures of the client's health information made for the prior six (6) years, although this excludes disclosures for treatment, payment, health care operations. (Fees may apply to this request).
- Request that we restrict how we use or disclose a client's health information. (However, we are not required to agree with a client's requests, unless he or she requests that we restrict information provided to a payor, the disclosure would be for the payor's payment or health care operations, and the client has paid for the health care services completely out of pocket).
- Request that we communicate with client at a specific telephone number or address.
- Obtain a paper copy of this notice even if the client receives it electronically.

We may ask that the client make some of these requests in writing.

### **Client Complaints**

If a client believes that his or her privacy has been violated, the client may file a complaint with us or with the Secretary of Health and Human Services in Washington, D.C. We will not retaliate or penalize the client for filing a complaint with the facility or the Secretary.

To file a complaint with us or receive more information contact:

Phone: (844) 884-4474

Email: [support@brighthousehealth.com](mailto:support@brighthousehealth.com)

Address: 2603 Camino Ramon, Suite 200, San Ramon, CA 94583

To file a complaint with the Secretary of Health and Human Services write to 200 Independence Ave., S.E., Washington, D.C. 20201 or call 1-877-696-6775.

This Notice describes the healthcare practices of:

- Any Bright Heart Health staff, physician or other health care professional authorized by us to access and/or enter information into your medical record,
- All departments and units through which Bright Heart Health's online services are provided; and

All affiliates and volunteers.