

PRIVACY NOTICE

This notice describes how information about you may be used and disclosed and how you can get access to this information. Please review it carefully.

The confidentiality of our therapy sessions is of the utmost importance. Every effort is made to insure the safety and privacy of your information. Written documentation is kept under lock and key on office premises at all times. Your therapist has the key that safeguards the documentation. Any computer information is encrypted and password-protected.

Client information never leaves the office unless clients have specifically authorized the release of such information with a signed Authorization for Disclosure form. The form allows clients to select the information to be shared, the medium for sharing (phone, fax, etc.), as well as the entity with whom the information is to be shared.

While every effort is made to protect client privacy, there are instances when information shared during a session needs to be brought to the attention of others without the client's expressed permission. In general, these **exceptional situations** fall into four categories:

- If your therapist is aware of or has **suspensions of child abuse and/or neglect**, the therapist must report this information to Child Protective Services. Therapists are considered **mandated reporters** in the State of New York. As a result, their failure to report such suspicions of abuse could result in legal action against and/or the agency they work for.
- If a client reports that they are **going to hurt themselves and/or someone else**, the therapist has a legal **duty to warn** the intended victim and/or a legal authority in the State of New York to address the situation.
- If the therapist and/or client records are **subpoenaed**, the therapist may have a legal obligation to give testimony as to the content of counseling sessions if a judge finds that the need for disclosure of said information outweighs the client's interest in confidentiality.
- If the counseling sessions are **mandated** (for whatever reason), the therapist may have a responsibility to report information gathered during session to a representative of the mandating agency without the necessary expressed permission of the client. This could include information concerning attendance, participation and cooperation.

The above exceptions to the rules of confidentiality are made in order to insure the health and safety not only of the client but of members of the wider community.

NOTE REGARDING MINORS WHO ARE SEEN INDIVIDUALLY

There may be times during the course of treatment when one or more of your minor children (under 18 years) are seen in your absence. Oftentimes, fear of disclosure prevents minors from getting the help they need on issues such as risk-taking behavior, sexual activity, sexual orientation, to name just a few. Please rest assured that throughout

treatment, minors will be encouraged to have open conversations with their parents on these matters. However, please be advised that the laws of New York State do limit parental access to the mental health records of their minor children under the following two circumstances:

- The provider **must not reveal** the information to a patient's parents if he or she determines that disclosure would be detrimental to the patient's course of treatment, or to the provider's relationship with the minor, or to the minor's relationship with his or her parents, *except in cases of safety*.
- The provider **may withhold** information from a minor patient's parents if the minor is over the age of 12 and objects to the disclosure. In such cases, the health care provider can rely on his or her judgment as to whether to disclose the information.

All minors who are seen individually will be informed at the outset that for safety reasons any issues that are potentially life-threatening to them or others will need to be shared with their parents(s)/guardian and/or other authority through the therapist's *duty to warn*.

If the minor's parents are married, separated or divorced, with joint custody, only one parent's consent is necessary to release records. If the minor's parents are separated or divorced with only one parent having sole custody (as substantiated by official court documentation), only the custodial parent may determine when and to whom the records are released (i.e., records may not be released to the non-custodial parent without the custodial parent's consent).

By signing below, I acknowledge that I have read and understand this privacy notice.

Client/Parent/Guardian Printed Name

Date

Client/Parent/Guardian Signature

Date

Witness signature

Date