



Texas Nutrition Consultants Notice of Privacy Practices

**Texas Nutrition Consultants 5900 Balcones Dr, Ste 165 Austin, TX, 78731
brenda@texnutrition.com ~ Phone: (512) 338.4500 ~ Fax: (512) 338.4501**

NOTICE OF PRIVACY PRACTICES

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

I. MY PLEDGE REGARDING HEALTH INFORMATION:

I understand that health information about you and your health care is personal. I am committed to protecting health information about you. I create a record of the care and services you receive from me. I need this record to provide you with quality care and to comply with certain legal requirements. This notice applies to all of the records of your care generated by this practice. This notice will tell you how I may use and disclose your health information. I also describe your rights to the health information I keep about you and my obligations regarding using and disclosing your health information. I am required by law to:

- Make sure that protected health information ("PHI") that identifies you is kept private.
- Give you this notice of my legal duties and privacy practices with respect to health information.
- Follow the terms of the notice that is currently in effect.
- I can change the terms of this Notice, which will apply to all information I have about you. The new Notice will be available upon request, in my office, and on my website.

II. HOW I MAY USE AND DISCLOSE HEALTH INFORMATION ABOUT YOU:

The following categories describe different ways that I use and disclose health information. For each category, I will explain what I mean and try to give some examples. Only some uses or disclosures in a category will be listed. However, all the ways I am permitted to use and disclose information will fall within one of the categories.

For Treatment Payment or Health Care Operations: Federal privacy rules (regulations) allow healthcare providers who have a direct treatment relationship with the patient/client to use or disclose the patient/client's personal health information without the patient's written authorization, to carry out the health care provider's own treatment, payment or health care operations. I may also disclose your protected health information for the treatment activities of any healthcare provider. This, too, can be done without your written authorization. For example, if a health care provider were to consult with another licensed healthcare provider about your condition, we would be permitted to use and disclose your personal health information, which is otherwise confidential, to assist the health care provider in diagnosing and treating your condition.

Disclosures for treatment purposes are not limited to the minimum necessary standard. Because other healthcare providers need access to the full record and/or full and complete information to provide quality care. The word "treatment" includes, among other things, the coordination and management of health care providers with a third party, consultations between providers, and patient referrals for health care from one health care provider to another.

Lawsuits and Disputes: If you are involved in a lawsuit, your healthcare provider may disclose health information in response to a court or administrative order. I may also disclose health information about your child in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.

III. CERTAIN USES AND DISCLOSURES REQUIRE YOUR AUTHORIZATION:

1. Session Notes: I do keep "Session notes," and any use or disclosure of such notes requires your Authorization unless the use or disclosure is:
 1. For my use in treating you.
 2. For my use in training or supervising associates to help them improve their clinical skills
 3. For my use in defending myself in legal proceedings instituted by you.
 4. For use by the Secretary of Health and Human Services to investigate my compliance with HIPAA.
 5. Required by law, and the use or disclosure is limited to the requirements of such law.
 6. Required by law for certain health oversight activities pertaining to the originator of the session notes.
 7. Required by a coroner who is performing duties authorized by law.
 8. Required to help avert a serious threat to the health and safety of others.
2. Marketing Purposes. As a healthcare provider, I will not use or disclose your PHI for marketing purposes.
3. Sale of PHI. As a healthcare provider, I will not sell your PHI in the regular course of my business.

IV. CERTAIN USES AND DISCLOSURES DO NOT REQUIRE YOUR AUTHORIZATION.

Subject to certain limitations in the law, I can use and disclose your PHI without your Authorization for the following reasons:

1. When disclosure is required by state or federal law, the use or disclosure complies with and is limited to the relevant requirements of such law.
2. For public health activities, including reporting suspected child, elder, or dependent adult abuse or preventing or reducing a serious threat to anyone's health or safety.
3. For health oversight activities, including audits and investigations.
4. I prefer to obtain your authorization before proceeding with judicial and administrative proceedings, including responding to a court or administrative order.
5. For law enforcement purposes, including reporting crimes occurring on my premises.

6. To coroners or medical examiners, when such individuals perform duties authorized by law.
7. For research purposes, including studying and comparing the patients who received one form of care versus those who received another for the same condition.
8. Specialized government functions include ensuring the proper execution of military missions, protecting the President of the United States, conducting intelligence or counterintelligence operations, and helping to ensure the safety of those working within or housed in correctional institutions.
9. For workers' compensation purposes, although I prefer obtaining an Authorization from you, I may provide your PHI to comply with workers' compensation laws.
10. Appointment reminders and health-related benefits or services. I may use and disclose your PHI to contact you to remind you that you have an appointment with me. I may also use and disclose your PHI to tell you about treatment alternatives or other healthcare services or benefits that I offer.

V. CERTAIN USES AND DISCLOSURES REQUIRE YOU TO HAVE THE OPPORTUNITY TO OBJECT.

1. Disclosures to family, friends, or others. I may provide your PHI to a family member, friend, or other person you indicate is involved in your care or the payment for your healthcare, unless you object in whole or in part. The opportunity to consent may be obtained retroactively in emergencies.

VI. YOU HAVE THE FOLLOWING RIGHTS CONCERNING YOUR PHI:

1. The Right to Request Limits on Uses and Disclosures of Your PHI. You have the right to ask me not to use or disclose certain PHI for treatment, payment, or health care operations purposes. I am not required to agree to your request, and I may say "no" if I believe it would affect your health care.
2. The Right to Request Restrictions for Out-of-Pocket Expenses Paid for in Full. You have the right to request restrictions on disclosures of your PHI to health plans for payment or healthcare operations purposes if the PHI pertains solely to a healthcare item or service you have paid for out-of-pocket in full.
3. You Have the Right to Choose How I Send PHI to You. You have the right to ask me to contact you in a specific way (for example, home or office phone) or to send mail to a different address, and I will agree to all reasonable requests.
4. The Right to See and Get Copies of Your PHI. Other than "session notes," you can get an electronic or paper copy of your medical record and other information I have about you. I will provide you with a copy of your record or a summary of it if you agree to receive a summary within 30 days of receiving your written request, and I may charge a reasonable, cost-based fee for doing so.

