



BALANCED INNOVATIVE CARE, LLC

HIPAA NOTICE OF PRIVACY PRACTICES

This Notice applies to Balanced Innovative Care, LLC. The purpose of this Notice is to describe how Balanced Innovative Care, LLC may use and disclose your protected health information ("PHI") in accordance with the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), the Health Information Technology for Economic and Clinical Health Act (the "HITECH Act"), and the HIPAA Omnibus Final Rule (the "Final Rule").

The HIPAA Privacy Rule protects only certain medical information known as protected health information ("PHI"). Generally, PHI is health information, including demographic information, collected from you or created or received by a health care provider from which it is possible to individually identify you and that relates to:

- your past, present, or future physical or mental health condition;
- the provision of health care to you; or
- the past, present, or future payment for the provision of health care to you.

Balanced Innovative Care, LLC is required under HIPAA to maintain the privacy of your PHI. Mental health records are a special type of PHI that may only be used or disclosed under special circumstances listed below. Balanced Innovative Care, LLC must abide by the terms of this Notice, and must provide you with a copy of this Notice upon request.

PROFESSIONAL RECORDS

The law and standards of the mental health profession require Balanced Innovative Care, LLC to keep medical treatment records. All communication and clinical treatment will be documented in the patient chart in HIPAA compliant Charm EHR. Under the provisions of the Health Care Information Act of 1992, you have the following rights with respect to your PHI:

- Right to Inspect and Copy Your PHI. Other than protected mental health information kept separate from the rest of your medical record, you have the right to inspect and copy your PHI. Under certain limited circumstances, we may deny your access to a portion of your records.
- Right to Share PHI. You can make a written request that we make a copy of your record available to any other health care provider.
- Right to Request a Restriction on Uses and Disclosures of PHI. In your request, you must tell Balanced Innovative Care, LLC
 - what information you want to limit
 - whether you want to limit Balanced Innovative Care, LLC's use, disclosure, or both

- to whom specifically you want the limits to apply, for example, disclosures to your spouse.

Balanced Innovative Care, LLC is not required to agree to a requested restriction unless otherwise required by law. If Balanced Innovative Care, LLC agrees to your request, Balanced Innovative Care, LLC will honor the restriction until you revoke it or we notify you.

- Right to Request Confidential Communications. All communications are conducted through the secure patient portal. In addition, patients can choose to receive appointment reminders via email or text.
- Right to Amend Your PHI. You have the right to request an amendment of your PHI that is maintained by Balanced Innovative Care, LLC if you believe the information is inaccurate or incomplete. Balanced Innovative Care, LLC may deny your request if your PHI is accurate and complete. Balanced Innovative Care, LLC cannot amend information created by any person other than Balanced Innovative Care, LLC.
- Right to Request Accounting of Disclosure. You have the right to request an accounting of who your PHI has been disclosed to.
- Right to Receive a Paper Copy of this Notice. You have the right to receive a paper copy of this Notice upon request via the secure patient portal.
- Right to Be Notified of a Breach. You have the right to be notified in the event that Balanced Innovative Care, LLC (or a Business Associate) commits or discovers a breach of unsecured PHI.

Because these are professional records, they can be misinterpreted and can be upsetting to untrained readers. If you wish to see your records, it is recommended that you review them with your provider during a visit so that you can discuss the contents.

MENTAL HEALTH INFORMATION SPECIAL PROTECTIONS

Mental health information (including psychotherapy notes) maintained by Balanced Innovative Care, LLC are protected by federal and state laws beyond the HIPAA protections described above. Protected mental health information are notes prepared by a mental health professional that document the contents of a conversation during an appointment and that are maintained separate from the rest of your medical records. No one, including the patient and the legal guardian, has a right to inspect or copy a patient's protected mental health information. Protected mental health information may not be used or disclosed without your special written authorization, except in the following circumstances:

- use or disclosure by the covered entity to defend itself in a legal action or other proceeding brought by the individual
- use or disclosure to government agencies when that agency requests them in order to investigate Balanced Innovative Care, LLC's compliance with federal privacy and confidentiality laws and regulations;
- use or disclosure as required by law.

CONFIDENTIALITY

All documentation and communication is completed via HIPAA compliant services and technologies. Balanced Innovative Care, LLC uses Charm EHR and IntakeQ EHR for keeping medical records and for patient communication via their secure patient portal.

To review Charm EHR's HIPAA privacy policy, please go here:

<https://www.charmhealth.com/ehr/hipaa-compliant-emr-ehr.html>

To review IntakeQ's privacy policy, please go here:

<https://intakeq.com/privacy>

In general, the law protects the privacy of all communications between a patient and a mental health professional, and this practice can only release information about the patient and the patient's treatment to others with the patient's or their legal guardian's written permission. There are some exceptions including the following:

- For Urgent Medical Treatment. If a patient threatens to harm self or others, Balanced Innovative Care, LLC may use or disclose your PHI to facilitate urgent medical treatment or services by providers. Balanced Innovative Care, LLC may disclose medical information about you to providers, family members, or others, including doctors, nurses, technicians, or hospitals who are involved in taking care of you in an emergency. This rarely occurs; however, if it does, there will be a good faith effort to discuss it with the patient before taking any action.
- Individuals Involved in Your Care. Balanced Innovative Care, LLC may release health care information about you to a friend or family member who is involved in your health care. This release requires written or oral consent from the patient and/or legal guardian.
- Appointment Reminders. Balanced Innovative Care, LLC may use and disclose health care information to contact you as a reminder that you have an appointment with Balanced Innovative Care, LLC. Patients can choose if and how they receive these reminders.
- Business Associates. Balanced Innovative Care, LLC may contract with certain service providers ("Business Associates") to perform various functions on behalf of Balanced Innovative Care, LLC. To provide these services, the Business Associates may receive, create, maintain, use or disclose PHI. Balanced Innovative Care, LLC and each Business Associate have already entered into an agreement requiring the Business Associate to safeguard your PHI as required by law and in accordance with the terms of this Notice.
- Required by Law. Balanced Innovative Care, LLC may use or disclose your PHI to the extent required by federal, state, or local law. For example, Balanced Innovative Care, LLC may disclose your PHI when required by national security laws or public health disclosure laws.
- Lawsuits and Disputes. Balanced Innovative Care, LLC may disclose your PHI in response to a court or administrative order. Your PHI may also be disclosed in response

to a subpoena, discovery request or other lawful process if efforts have been made to tell you about the request or to obtain an order protecting your PHI.

- Certain Government Agencies and Officials. Balanced Innovative Care, LLC may disclose your PHI to (i) government agencies involved in oversight of the health care system, (ii) government authorities authorized to receive reports of abuse, neglect, or domestic violence, (iii) law enforcement officials for law enforcement purposes, (iv) military command authorities, if you are or were a member of the armed forces, (v) correctional institutions, if you are an inmate or under the custody of a law enforcement official, and (vi) federal officials for intelligence, counterintelligence, and other national security activities.

COMPLAINTS

For general questions, concerns, and complaints about our practice and our policies, existing patients can message us directly via the secure patient portal. You can also email us at contact@BalancedInnovativeCare.com

EFFECTIVE DATE

This Notice becomes effective as of October 21st, 2021.

CHANGES TO THIS NOTICE

Balanced Innovative Care, LLC reserves the right to change the provisions of this Notice and to apply the changes to all PHI received and maintained by Balanced Innovative Care, LLC. If Balanced Innovative Care, LLC makes a material change to this Notice, a revised version of this Notice will be provided to you within thirty (30) days of the effective date of the change.