

# *Northwest Counseling*

## Individual and Family Therapy

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This notice explains the rights you have to access your health record, and when certain information in your health record can be released without your consent. This notice does not change any protections you have under the law.

### **YOUR RIGHT TO ACCESS AND PROTECT YOUR HEALTH RECORD**

You have the following rights relating to your health record under the law:

- A health care provider, or a person who gets health records from a provider, must have your signed and dated consent to release your health record, except for specific reasons in the law.
- You can see your health record for information about any diagnosis, treatment and prognosis.
- You can ask, in writing, for a copy or summary of your health record, which must be given to you promptly.
- You must be given a copy or a summary of your health record unless it would be detrimental to your physical or mental health, or cause you to harm another.  You cannot be charged if you request a copy of your health record to review your current care.  If you request a copy of your health record and it does not include your current care, you can only be charged the maximum amount set by Minnesota law for copying your record.

### **RELEASE OF YOUR HEALTH RECORD WITHOUT YOUR CONSENT**

There are specific times that the law allows some health record information held by your provider to be released without your written consent. Some, but not all, of the reasons for release under federal law are:

- For specific public health activities
- When health information about victims of abuse, neglect, or domestic violence must be released to a government authority
- For health oversight activities  For judicial and administrative proceedings
- For specific law enforcement purposes  For certain organ donation purposes
- When health information about decedents is required for specific individuals to carry out their duties under the law  For research purposes approved by a privacy board
- To prevent or lessen a serious threat to health or safety
- For specialized government functions related to national security
- For workers' compensation purposes

Under Minnesota law, health record information may be released without your consent in a medical emergency, or when a court order or subpoena requires it. The following include some of the agencies, persons, or organizations that specific health record information may or must be released to for specific purposes, or after certain conditions are met:

- The Departments of Health, Human Services, Public Safety, Commerce, Employee Relations, Labor & Industry, and Education  Insurers and employers in workers' compensation cases
- Ombudsman for Mental Health and Mental Retardation  Health professional licensing boards/agencies
- Victims of serious threats of physical violence  The State Fire Marshal  Local welfare agencies
- Medical examiners or coroners  Schools, childcare facilities, and Community Action Agencies to transfer immunization records  Medical or scientific researchers
- Parent/legal guardian who did not consent for a minor's treatment, when failure to release health information could cause serious health problems  Law enforcement agencies
- Insurance companies and other payors paying for an independent medical examination

If you would like additional information, please ask for **the HIPAA NOTICE OF PRIVACY PRACTICES** long version, which details your rights.