

Lisa J. Johnson, PhD, LMFT
Individual, Marital and Family Therapy

MY OFFICE PRIVACY POLICIES AND PROCEDURES

Confidentiality and privacy are the cornerstones of the mental health professions. Clients have an expectation that their communications with therapists, and their treatment records, will generally be kept confidential and will not be released to others without the written authorization of the client. One of the purposes of the Notice of Privacy Practices is to inform and educate clients about the fact that there are exceptions to the general rule of confidentiality. Many of these exceptions have existed for years, and many of them are the result of laws and regulations being passed by state legislatures and by the federal government. These laws and regulations are essentially statements of public policy. My office policies and procedures, as well as the ethical standards of my profession, are intended to shape my practice so that privacy and confidentiality are maintained, consistent with New Mexico law and the federal "Privacy Rule."

1. **Privacy Officer:** I, Lisa Johnson, PhD, LMFT, am the privacy officer for this practice. I am the one responsible for developing and implementing these policies and procedures.
2. **Contact Person:** I, Lisa Johnson, PhD, LMFT, am the contact person for this practice. If a client needs or desires further information related to the Notice of Privacy Practices, or if the client has a complaint regarding these policies and procedures or our compliance with them, I am the person who should be contacted.
3. The effective date of these policies and procedures is 12/1/03.
4. I will maintain documentation of all consents, authorizations, Notices of Privacy Practices, Office Policies and Procedures, trainings, and client requests for records or for amendments to records. I will also document complaints received and their disposition.
5. I do not employ any employees of my practice, but if I ever do I will train my employees regarding the importance of privacy and confidentiality.
6. I will not maintain or use client sign-in sheets.
7. Conversations regarding confidential material or information will take place in an area and in a manner where they will not be easily overheard.
8. Client records will be kept in locked file cabinets in my individual office. My individual office is locked when I am not there. Client records will not be left in places in my office where others are able to see its contents. I will take steps to assure that client records are accessed only by me or by those in my employ with my permission, who may need to access them on my behalf or on the client's behalf.
9. Computers and fax machines will be placed appropriately so that access is limited to office personnel and so that confidential information transmitted or received is not seen by others.
10. With respect to electronic equipment such as computers, I will delete and change the passwords of terminated employees promptly upon their termination. With

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- respect to office keys, terminated employees will be asked to return all keys to the office that they may possess. I also realize that it may be necessary for me to change one or more locks within my office, depending on circumstances.
11. For those in my employ who violate these policies and procedures or who compromise the confidentiality or privacy of a client, I will take such actions as I believe are warranted by the situation. Since I have a small private practice, I have not had the need to develop and implement a formal disciplinary policy. I will act in good faith and will do my best to correct errors or deficiencies that become known to me.
 12. Information and records concerning a client may be disclosed as described in the Notice of Privacy Practices and in accordance with applicable law or regulation. Generally, I will obtain a written authorization from the client before releasing information to third parties for purposes other than treatment payment, and health care operations, unless disclosure is required by law or permitted by law.
 13. If mental health records are subpoenaed by an adverse party I will assert the psychotherapist-client privilege on behalf of the client and will thereafter act according to the wishes of the client and the client's attorney, unless I am ordered by a Court or other lawful authority to release records or portions thereof.
 14. To the extent that I keep client records electronically (e.g. on my computer), I will backup the computer files on a regularly and will store the backup offsite. By doing so, I will be prepared in the case of an incident of some kind that causes destruction, deletion, or damage to electronically stored client records.
 15. I keep client records for at least seven years from the date of last treatment. With respect to the records of a minor, I keep those records for at least seven years or until the client is twenty-one years old, whichever is longer. Thereafter, I may destroy client records. When records are destroyed, they will be destroyed in a manner that protects client privacy and confidentiality.
 16. I will attempt to find out from clients, as early as possible, whether they have any objection to me or others in my office sending correspondence to their residence (e.g., claim forms, bills) and whether I am permitted to call them at their residence or elsewhere to change appointment times or dates, or to discuss matters related to their treatment. Electronic health records are used and comply with HIPAA laws governing encryption and privacy protection.
 17. If I share protected health information about a client with third party business associates as part of my health care operations (e.g., a billing or transcription service), I will have a written contract with that business associate that contains terms that will protect the privacy of the client's protected health information.
 18. My duty of confidentiality and the psychotherapist-client privilege survive the death of a client.
 19. With respect to email communications, I will do my best to ensure that communications do not contain sensitive information. Encrypted emails will be used for sensitive information when necessary.
 20. I will do my best to ensure that electronic information, such as billing records and correspondence, is protected from computer viruses and unauthorized intruders.

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