

Vann Counseling and Associates, part of Lori Vann LLC
AUTHORIZATION TO DISCLOSE PROTECTED HEALTH INFORMATION
Developed for Texas Health & Safety Code § 181.154(d)
Effective June 2013

**This form was created by the Texas Attorney General and amended by Lori Vann, M.A., LPCS to reflect the specific needs of a counseling practice.*

Please read this entire form before signing and complete all the sections that apply to your decisions relating to the disclosure of protected health information. Covered entities as that term is defined by HIPAA and Texas Health & Safety Code § 181.001 must obtain a signed authorization from the individual or the individual's legally authorized representative to *electronically disclose* that individual's protected health information. Authorization is not required for disclosures related to treatment, payment, health care operations, performing certain insurance functions, or as may be otherwise authorized by law. Individuals cannot be denied treatment based on a failure to sign this authorization form, and a refusal to sign this form will not affect the payment, enrollment, or eligibility for benefits.

NAME OF PATIENT/CLIENT OR INDIVIDUAL:

Last First Middle

DATE OF BIRTH: Month _____ Day _____ Year _____

ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP:** _____

PHONE: (_____) _____

I AUTHORIZE THE FOLLOWING PROFESSIONAL TO DISCLOSE THE INDIVIDUAL'S PROTECTED HEALTH INFORMATION:

Person/Organization Name/Counselor's Name: _____

Address: 2785 Rockbrook Dr, Suite 306

City: Lewisville State: Texas Zip: 75067

Phone: (972) 315-5052

WHO CAN RECEIVE AND USE THE HEALTH INFORMATION? (Counselor is sending information to whom?)

***Legal Guardians of Minors do NOT need to fill out a Release for themselves to obtain information about the minor.**

Person/Organization/Doctor/Hospital/School/Business Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____ Fax: (_____) _____

I authorize information to be transmitted through the following options: **Phone Call** **E-mail** **Mail** **Fax**

REASON FOR DISCLOSURE (Choose only one option below):

Treatment/Continuing Medical/Psychological Care Personal Use Billing/Payments/Claims

Insurance Legal Purposes Disability Determination School Employment

Other _____

WHAT INFORMATION CAN BE DISCLOSED? Complete the following by indicating those items that **you want disclosed**. The signature of a minor patient is required for the release of some of these items. **If all health information is to be released, then check only the first box.**

All health information Intake/Psychosocial History Past/Present Medications as stated by Client

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Progress/Session Notes Discharge Summary Consultation Reports/Calls with other Providers/ Professionals
 Billing Information (dates of service, amount paid, billing code, balance due)
 Diagnostic Test Reports as given by a 3rd party (neither Ms. Vann or her associates administer Diagnostic Tests)
 Written summaries that include symptoms, diagnosis, risk factors & risk history, medication concerns.

Your initials are required to release the following information:

Mental Health Records Drug, Alcohol, or Substance Abuse Records

EFFECTIVE TIME PERIOD: This authorization is valid until the earlier of the occurrence of death of the individual; the individual reaching the **age of maturity**; or permission is **withdrawn**; or the following **specific date** (1 year from today):

Month _____ Day _____ Year _____

RIGHT TO REVOKE: I understand that I can withdraw my permission at any time by giving the **written notice stating my intent to revoke this authorization** to the person or organization named under “WHO CAN RECEIVE AND USE THE HEALTH INFORMATION.” I understand that prior actions taken in reliance on this authorization by entities that had permission to access my health information will not be affected.

SIGNATURE AUTHORIZATION: I have read this form and agree to the uses and disclosures of the information as described. I understand that refusing to sign this form does not stop disclosure of health information that has occurred prior to revocation or that is otherwise permitted by law without my specific authorization or permission, including disclosures to covered entities as provided by Texas Health & Safety Code § 181.154(c) and/or 45 C.F.R. § 164.502(a)(1). I understand that information disclosed pursuant to this authorization may be subject to re-disclosure by the recipient and may no longer be protected by federal or state privacy laws.

SIGNATURE X _____

Signature of Individual or Individual's Legally Authorized Representative

DATE _____

Printed Name of Legally Authorized Representative (if applicable): _____

If Representative, specify relationship to the individual: Parent of Minor Guardian Other

A **minor individual's signature is required for the release** of certain types of information, including for example, the release of information related to certain types of reproductive care, **sexually transmitted diseases, and drug, alcohol or substance abuse, and mental health treatment** (See, e.g., Tex. Fam. Code §32.003).

SIGNATURE X _____

Signature of **Minor** Individual if 16 +

DATE _____

The Attorney General of Texas has adopted a standard Authorization to Disclose Protected Health Information in accordance with the Texas Health & Safety Code § 181.154(d). This form is intended for use in complying with the requirements of the Health Insurance Portability and Accountability Act and Privacy Standards (HIPAA) and the Texas Medical Privacy Act (Texas Health and Safety Code, Chapter 181). **Covered entities may use this form or any other form that complies with HIPAA, the Texas Medical Privacy Act, and other applicable laws.**

Covered entities, as that term is defined by HIPAA and Texas Health & Safety Code § 181.001, must obtain a signed authorization from the individual or the individual's legally authorized representative to electronically disclose that individual's protected health information. Authorization is not required for disclosures related to treatment, payment, health care operations, performing certain insurance functions, or as may be otherwise authorized by law. (Tex. Health & Safety Code §§ 181.154(b), (c), § 241.153; 45 C.F.R. §§(a)(1); 164.506, and 164.508).

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The authorization provided by use of the form means that the organization, entity or person authorized can disclose, communicate, or send the named individual's protected health information to the organization, entity or person identified on the form, including through the use of any electronic means.

Definitions – In the form, the terms “treatment,” “healthcare operations,” “psychotherapy notes,” and “protected health information” are as defined in HIPAA (45 CFR 164.501). “Legally authorized representative” as used in the form includes any person authorized to act on behalf of another individual. (Tex. Occ. Code § 151.002(6); Tex. Health & Safety Code §§166.164, 241.151; and Tex. Probate Code § 3(aa)).

Health Information to be Released – If “All Health Information” is selected for the release, health information includes, but is not limited to, all records and other information regarding health history, treatment, hospitalization, tests, and outpatient care, and also educational records that may contain health information. As indicated on the form, specific authorization is required for the release of information about certain sensitive conditions, including:

- Mental health records
 - Drug, alcohol, or substance abuse records.
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Note on Release of Health Records – This form is not required for the permissible disclosure of an individual's protected health information to the individual or the individual's legally authorized representative. (45 C.F.R. §§ 164.502(a)(1)(i), 164.524; Tex. Health & Safety Code § 181.102). If requesting a copy of the individual's health records with this form, state and federal law allows such access, *unless such access is determined by the physician or mental health provider to be harmful to the individual's physical, mental or emotional health.* (Tex. Health & Safety Code §§ 181.102, 611.0045(b); Tex. Occ. Code § 159.066(a); 45 C.F.R. § 164.502(a)(1)). If a healthcare provider is specified in the “Who Can Receive and Use The Health Information” section of this form, then permission to receive protected health information also includes physicians, other health care providers (such as nurses and medical staff) who are involved in the individual's medical care at that entity's facility or that person's office, and health care providers who are covering or on call for the specified person or organization, and staff members or agents (such as business associates or qualified service organizations) who carry out activities and purposes permitted by law for that specified covered entity or person. If a covered entity other than a healthcare provider is specified, then permission to receive protected health information also includes that organization's staff or agents and subcontractors who carry out activities and purposes permitted by this form for that organization. Individuals may be entitled to restrict certain disclosures of protected health information related to services paid in full by the individual (45 C.F.R. § 164.522(a)(1)(vi)).

Authorizations for Sale or Marketing Purposes: Vann Counseling & Associates will NEVER sell any client information (Tex. Health & Safety Code § 181.152, .153; 45 C.F.R. § 164.508(a)(3), (4)).

Limitations of this form – This authorization form shall not be used for the disclosure of any health information as it relates to: (1) health benefits plan enrollment and/or related enrollment determinations (45 C.F.R. § 164.508(b)(4)(ii), .508(c)(2)(ii); **Use of this form does not exempt any entity from compliance with applicable federal or state laws or regulations regarding access, use or disclosure of health information or other sensitive personal information (e.g., 42 CFR Part 2, restricting use of information pertaining to drug/alcohol abuse and treatment), and does not entitle an entity or its employees, agents or assigns to any limitation of liability for acts or omissions in connection with the access, use, or disclosure of health information obtained through use of the form.**

Charges – Some covered entities may charge a retrieval/processing fee and for copies of medical/psychological records. (Tex. Health & Safety Code § 241.154). See Vann Counseling Agreement for fees associated with record production.

Right to Receive Copy – The individual and/or the individual's legally authorized representative has a right to receive a copy of this authorization.

Form amended by Lori Vann, LPCS on 10/16/13