

CONFIDENTIALITY RIGHTS & LIMITATIONS

Emily Sinclair Counseling, PLLC

Confidentiality

What you say to me in psychotherapy is strictly confidential. I will not release any information about you or about what has gone on in your therapy without your written permission. You may direct me in writing to share information with whomever you chose, and you can change your mind and revoke that permission at any time, and no further information will be released. I will always act so as to protect your privacy even if you do release me in writing to share information about you. You may request anyone you wish to attend a therapy session with you; if you wish to do so, please discuss this with me.

Limits of Confidentiality

Washington State law *requires* release of information without a client's consent in certain circumstances. The following are legal exceptions to your right to confidentiality. You would be informed at any time when these exceptions are put into effect.

Health Care Information Act of 1992

Under the provisions of the Health Care Information Act of 1992, a therapist may legally speak to another health care provider or a member of your family about you without your prior consent. However, I will not do so unless the situation is an emergency.

Duty to Warn and Protect

When a client discloses intentions or a plan to harm another person, the mental health professional is required to warn the intended victim and report this information to legal authorities. In cases in which the client discloses or implies a plan for suicide, the health care professional is required to notify legal authorities and make reasonable attempts to notify the family of the client. If your therapist believes that you are in imminent danger of harming yourself, she may legally break confidentiality and call the police or the county crisis team.

Abuse of Children and Vulnerable Adults

If a client states or suggests that he or she is abusing a child (or vulnerable adult) or has recently abused a child (or vulnerable adult), or a child (or vulnerable adult) is in danger of abuse, the mental health professional is required to report this information to the appropriate Child Protective Services and Adult Protective Services and/or legal authorities within 48 hours.

Prenatal Exposure to Controlled Substances

Mental Health care professionals are required to report admitted prenatal exposure to controlled substances that are potentially harmful.

Minors/Guardianship

Parents or legal guardians of non-emancipated minor clients (under age 13) have the right to access the clients' records.

Insurance Providers (when applicable)

Insurance companies and other third-party payers are given information that they request regarding services to clients. Information that may be requested includes, but is not limited to: types of service, dates/times of service, diagnosis, treatment plan, description of impairment, progress of therapy, case notes, and summaries.

Sexual Misconduct of a Licensed Therapist

If you reveal information about the impairment or sexual misconduct of another psychotherapist licensed in the State of Washington, your therapist is required by law to report that conduct to the Dept. of Health.

Legal Subpoena

In response to a subpoena, your therapist may be required to submit her notes or information regarding your case, in which case your therapist will do everything in her power to protect you as a client, will remain your advocate, and will be advised by an attorney as to the minimum response required.

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Confidentiality Issues for Couples

When working with a couple I treat the couple as my client. With respect to confidentiality this means that I do not keep secrets. Anything that is told to me by an individual will be shared with the other member of the couple. Such open communication is crucial to effective couples therapy. In addition, I will not testify for or against either individual in a court proceeding. Again, my reason for this policy is my responsibility to both individuals as a couple rather than as separate units.

Electronic Communication

You are also protected under the provisions of the Federal Health Insurance Portability and Accountability Act (HIPAA). This law insures the confidentiality of all electronic transmission of information about you. If you elect to communicate with me by email at some point in your work together, please be aware that email is not completely confidential. All emails are retained in the logs of the internet service provider. While under normal circumstances no one looks at these logs, they are, in theory, available to be read by the system administrator(s) of the internet service provider. Any email received from you, and any responses sent to you, will be saved for your treatment record. Please see the complete HIPAA form for more information about client rights.

I agree to the above limits of confidentiality and understand their meanings and ramifications.

Print your name(s) here: _____

Client Signature(s) (Client's Parent/Guardian if under 13)

Today's Date