

# Duluth Psychological Clinic

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## **Duluth Psychological Clinic Handbook**

Welcome to the Duluth Psychological Clinic (DPC). This document and agreement contains important information about our professional services and business policies. It also contains summary information about the Health Insurance Portability and Accountability Act (HIPAA), a new federal law that provides new privacy protections and new patient rights with regard to the use and disclosure of your Protected Health Information (PHI) used for the purpose of treatment, payment, and health care operations. HIPAA requires that DPC provides you with a Notice of Privacy Practices (the Privacy Notice) for use and disclosure of PHI for treatment, payment and health care operations. The Privacy Notice, which is separate from this Agreement, explains HIPAA and its application to your personal health information in greater detail. The law requires that your psychologist obtain your signature on the Privacy Notice, acknowledging that your psychologist has provided you with this information. Although the Privacy Notice and this Agreement are long and may seem complex, it is very important that you read them carefully before you meet with your psychologist. Your psychologist can discuss any questions you have about the procedures at that time.

### **PSYCHOLOGICAL SERVICES**

Psychological services may include evaluation, diagnostic assessment, testing, behavioral analysis and intervention, consultation, biofeedback, hypnosis, relaxation training, and psychotherapy. Psychotherapy is not easily described in general statements. It varies depending on the training and experience of the psychologist, your personality, and the particular problems you are experiencing. There are many different methods that your psychologist may use to deal with the problems that you hope to address. Psychotherapy is not like a medical doctor visit. Instead, it calls for very active participation and effort on your part. In order for the therapy to be most successful, you will have to work on things you and your psychologist talk about both during sessions and at home.

Psychotherapy can have benefits and risks. Since therapy often involves discussing unpleasant aspects of your life, you may experience uncomfortable feelings like sadness, guilt, anger, frustration, loneliness, and helplessness. On the other hand, psychotherapy has also been shown to have many benefits. Therapy often leads to better relationships, solutions to specific problems, and significant reductions in feelings of distress. However, there are no guarantees of what you will experience.

Your first few sessions will involve an evaluation of your needs. By the end of the evaluation, your psychologist will be able to offer you some first impressions of what treatment options exist, and a treatment plan to follow, if you decide to continue with treatment. You should evaluate this information along with your own opinions of whether you feel comfortable working with your psychologist. Psychotherapy and other types of psychological services involve a large commitment of time, money, and energy, so you should be very careful about the psychologist you select. If you have questions about your psychologist's procedures, you should discuss them with her/him whenever they arise. If your doubts persist, your psychologist will be happy to help you set up a meeting with another mental health professional for a second opinion.

## **MEETINGS**

Normally, a psychological evaluation will last from 1 to 4 sessions. Evaluations may include psychological testing, which would occur in sessions of several hours' length. Additional time is then needed for scoring and interpreting the test results, and writing a report. You together with your psychologist can both decide if your psychologist is the best person to provide the services you need in order to meet your treatment goals. A typical appointment hour usually consists of a 45-50 minute long session with your psychologist, then your psychologist will use the remaining 10-15 minutes to record notes or make telephone calls on your behalf. These appointments may occur as often as once per week, or less often as agreed upon. Special arrangements may be needed for treatments such as biofeedback, hypnosis, and relaxation training. **Once an appointment hour is scheduled, DPC would prefer at least 24-hour advance notice of cancellation. DPC will work with you to reschedule an appointment. It is important to note that insurance companies do not provide reimbursement for cancelled or missed sessions.**

## **PROFESSIONAL FEES**

DPC's hourly fee is \$200.00. In addition to appointments, this amount is charged for other professional services you may need, though DPC will break down the hourly cost if your psychologist works for periods of less than one hour. Other services include report writing, complex telephone conversations involving treatment or consultation, consulting with other professionals with your permission, preparation of records, letters, or treatment summaries, and the time spent performing any other service you may request of your psychologist. If you become involved in legal proceedings that require your psychologist to participate, hourly charges will

apply for all of your psychologist's professional time, including preparation and transportation costs, even if your psychologist is called to testify by another party. Because of the difficulty of legal involvement, a higher hourly fee may apply.

## **CONTACTING YOUR PSYCHOLOGIST**

During DPC's regular clinic hours (9:00am to 6:00pm Monday through Friday), your psychologist will often not be immediately available by telephone. She/he will not answer the phone when with a client. Telephone calls to DPC during regular clinic hours will be answered, when possible, by front-desk staff and by a voice-mail system when staff are unavailable (such as during lunch time). Front desk staff listen to messages placed in your psychologist's voice mailbox, and notify your psychologist of information you leave. If needed, your psychologist will return your call promptly, with the exception of weekends and holidays. If you are difficult to reach, please inform your psychologist of some times when you will be available. If you have an emergency and need to talk with your psychologist immediately during regular clinic hours, DPC front desk staff will arrange for this to occur when possible. For emergencies outside of regular clinic hours, you may contact DPC's on-call psychologist through the telephone answering system. This psychologist will return your call as soon as possible, but be aware that this psychologist may not always be immediately available to receive emergency messages. For this reason, you may need to contact your physician, the nearest urgent care or hospital emergency room, and/or Miller-Dwan Crisis Center (218-723-0099) for assistance. If your psychologist will be unavailable for an extended time, she/he will provide you with the name of a colleague to contact, if necessary.

## **LIMITS ON CONFIDENTIALITY**

The law protects the privacy of all communications between a patient and a psychologist. In most situations, your psychologist can only release information about your treatment to others if you sign a written Authorization form that meets certain legal requirements imposed by HIPAA. There are other situations that require only that you provide written, advance consent, such as billing your insurance companies, and the following situations:

- Your psychologist may occasionally consult other health and mental health professionals about your case. During a consultation, she/he will make every effort to avoid revealing identifying information. The other professionals are also legally bound to keep the information confidential. If you do not object, your psychologist will not tell you about these consultations unless she/he feels that it is important to your work together. Your psychologist will note all consultations in your Clinical Record.
- You should be aware that your psychologist practices with other mental health professionals and that DPC employs administrative staff. In most cases, your psychologist needs to share protected information with these individuals for both clinical and administrative purposes, such as scheduling, billing, and quality assurance. All of the mental health professionals are bound by the same rules of confidentiality. All administrative staff members have been given training about protecting your privacy and have agreed not to release any information outside of DPC without your permission.
- DPC has contracts with several local professionals and businesses, such as an attorney, accounting firm, and collection agency. As required by HIPAA, DPC has a formal business associate contract with these professionals and businesses, in which they promise to maintain the confidentiality of client and DPC data except as specifically allowed in the contract or otherwise required by law. If you wish, DPC can provide you with the names of these organizations and/or a blank copy of this contract.
- Disclosures required by health insurers or to collect overdue fees are discussed elsewhere in this Agreement.

There are some situations where your psychologist is permitted or required to disclose information without either your consent or Authorization:

- If you file a worker's compensation claim, your psychologist must, upon appropriate request, disclose information related to the claim to appropriate individuals, which may include your employer, the insurer or the Department of Labor and Industry.
- If you are involved in a court proceeding and a subpoena is sent to your psychologist for information concerning the professional services your psychologist provided to you, then your psychologist will likely disclose this information. If you are involved in or contemplating litigation, you should consult with your attorney to determine whether a court would be likely to order your psychologist to disclose information. You should also then discuss this situation with your psychologist.
- If a government agency, pursuant to their lawful authority, is requesting the information for health oversight activities, your psychologist may be required to provide it for them.
- If you file a complaint or lawsuit against your psychologist, she/he may disclose relevant information regarding you in order to defend her/himself.

There are some situations in which your psychologist is legally obligated to take actions, which she/he believes are necessary to attempt to protect others from harm, and may have to reveal some information about your treatment. These situations are unusual, but sometimes do occur:

- If your psychologist knows or has reason to believe a child (under the age of 18 years) is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years, the law requires that she/he file a report immediately with the appropriate government agency, usually local county social services, or the police. Once such a report is filed, your psychologist may be required to provide additional information.

- If your psychologist has reason to believe that a vulnerable adult is being or has been maltreated or if your psychologist has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained, the law requires that she/he file a report immediately with the appropriate government agency, usually an agency designated by the county. Once such a report is filed, your psychologist may be required to provide additional information.
- If your psychologist believes that you present a serious and specific threat of physical violence to another, she/he may be required to disclose information necessary to take protective actions. These actions may include notifying the potential victim, contacting your family or others who can help provide protection, contacting the police, or seeking your hospitalization.
- If your psychologist believes that you present a serious and specific threat of physical violence to yourself, she/he may be required to disclose information necessary to take protective actions. These actions may include notifying your family or others who can help provide protection, contacting the police, or seeking your hospitalization.

If such a situation arises, your psychologist will make every effort to fully discuss it with you before taking any action and will limit his/her disclosure to what is necessary.

While this written summary of exceptions to confidentiality should prove helpful in informing you about potential problems, it is important that we discuss any questions or concerns that you may have now or in the future. The laws governing confidentiality can be quite complex, and your psychologist is not an attorney. In situations where specific advice is required, formal legal advice may be needed.

## **PROFESSIONAL RECORDS**

You should be aware that, pursuant to HIPAA, DPC keeps protected information about you in two separate sections within your Clinical Record. One section constitutes protected health information (PHI). It includes information about your reasons for seeking therapy, a description of

the ways in which your problem impacts on your life, your diagnosis, the goals that we set for treatment, your progress towards those goals, your medical and social history, your treatment history, any past treatment records that I receive from other providers, reports of any professional consultations, your billing records, and any reports that have been sent to anyone, including reports to your insurance carrier. Except in unusual circumstances that involve danger to yourself and others, you may examine and/or receive a copy of your Clinical Record, if you request it in writing. Because these are professional records, they can be misinterpreted and/or upsetting to untrained readers. For this reason, DPC recommends that you initially review them in the presence of your psychologist, or have them forwarded to another mental health professional so you can discuss the contents. Your psychologist may sometimes be willing to conduct this review meeting without charge. In certain situations, DPC may charge a copying fee of 75 cents per page (and for certain other expenses). The exceptions to this policy are contained in the HIPAA Notice Form. If your psychologist refuses your request for access to your records, you have a right of review, which your psychologist will discuss with you upon request.

DPC keeps a second section of records about you, which consists of Psychotherapy Notes. These notes are for your psychologist's own use and are designed to assist your psychologist in providing you with the best treatment. While the contents of psychotherapy notes vary from client to client, they can include the contents of conversations, your psychologist's analyses of those conversations, and how they affect your therapy. They also contain particularly sensitive information that you may reveal to your psychologist that is not required to be included in your PHI. These psychotherapy notes are kept separate from your PHI. While insurance companies can request and receive a copy of your PHI with a signed general consent from you, they cannot receive a copy of your psychotherapy notes without your signed, written authorization. Insurance companies cannot require your authorization as a condition of coverage nor penalize you in any way for your refusal. You may examine and/or receive a copy of your psychotherapy notes unless your psychologist determines that the information they contain is detrimental to your physical or mental health, or is likely to cause you to harm another. If your psychologist denies your request to examine your psychotherapy notes, you may select an appropriate third party to whom these notes will be forwarded. This individual may choose to disclose these notes to you. In this event, DPC recommends that you select another mental health provider to perform this task.

## **PATIENT RIGHTS**

HIPAA provides you with several new or expanded rights with regard to your Clinical Records and disclosures of protected health information. These rights include requesting that your psychologist

amend your record; requesting restrictions on what information from your Clinical Records is disclosed to others; requesting an accounting of most disclosures of protected health information that you have neither consented to nor authorized; determining the location to which protected information disclosures are sent; having any complaints you make about your psychologist's, or DPC's, policies and procedures recorded in your records; and the right to a paper copy of this agreement, the HIPAA Notice form, and DPC's privacy policies and procedures. Your psychologist will be happy to discuss any of these rights with you.

## **MINORS & PARENTS**

Clients under 18 years of age who are not emancipated and their parents should be aware that the law may allow parents to examine their child's treatment records. Because privacy in psychotherapy is often crucial to successful progress, particularly with teenagers, the psychologist may request an agreement from parents that they consent to give up their access to their child's records. If they agree, during treatment, the psychologist will provide them only with general information about the progress of their child's treatment, and his/her attendance at scheduled sessions. Upon request, the psychologist would then also provide parents with a summary of their child's treatment when it is complete. Any other communication would require the child's authorization, unless the psychologist feels that the child is in danger or is a danger to someone else, in which case, the psychologist will notify the parents of her/his concerns. Before giving parents any information, the psychologist would discuss the matter with the child, if possible, and do her/his best to handle any objections the child may have. In some cases, the psychologist may not request that parents give up access to their child's records and information.

## **BILLING AND PAYMENTS**

You will be expected to pay for each session at the time it is held, unless we agree otherwise or unless you have insurance coverage that requires another arrangement. Payment schedules for other professional services will be agreed upon when they are requested. In circumstances of unusual financial hardship, your psychologist may be willing to negotiate a fee adjustment or

payment installment plan. If your account has not been paid for more than 60 days and arrangements for payment have not been agreed upon, your psychologist has the option of using legal means to obtain payment. This may involve hiring a collection agency or going through small claims court which will require your psychologist to disclose otherwise confidential information. In most collection situations, the only information your psychologist would release regarding your treatment is identifying information such as your name and address, and account information such as the amount due and date of last payment. If legal action is necessary, its costs will be included in the claim.



## **INSURANCE REIMBURSEMENT**

In order for you and your psychologist to set realistic treatment goals and priorities, it is important to evaluate what resources you have available to pay for your treatment. If you have a health insurance policy, it will usually provide some coverage for mental health treatment. DPC and your psychologist will fill out forms and provide you with whatever assistance we can in helping you receive the benefits to which you are entitled. However, you (not your insurance company) are responsible for full payment of charged fees, as allowed by your third party payer policies. It thus is very important that you find out exactly what mental health services your insurance policy covers.

You should carefully read the section in your insurance coverage booklet that describes mental health services. If you have questions about the coverage, call your plan administrator. Of course, DPC and your psychologist will provide you with whatever information we can based on our experience and will be happy to help you in understanding the information you receive from your insurance company. If it is necessary to clear confusion, we may be willing to call the company on your behalf.

Due to the rising costs of health care, insurance benefits have increasingly become more complex. It is sometimes difficult to determine exactly how much mental health coverage is available. "Managed Health Care" plans such as HMOs and PPOs often require authorization before they provide reimbursement for mental health services. These plans are often limited to short-term treatment approaches designed to work out specific problems that interfere with a person's usual

level of functioning. It may be necessary to seek approval for more therapy after a certain number of sessions. While much can be accomplished in short-term therapy, some clients feel that they need more services after insurance benefits end. Some managed-care plans will not allow your psychologist to provide services to you once your benefits end. If this is the case, your psychologist will do her/his best to find another provider who will help you continue your psychotherapy.

You should also be aware that your contracts with your health insurance companies require DPC and your psychologist to provide them with information relevant to the services that your psychologist provides to you. Your psychologist is required to provide a clinical diagnosis. Sometimes, your psychologist is required to provide additional clinical information such as treatment plans or summaries, or copies of your PHI (protected health information). Your psychologist will make every effort to release only the minimum information about you that is necessary for the purpose requested. This information will become part of the insurance company's files and is likely stored in a computer. Though all insurance companies claim to keep such information confidential, DPC has no control over

what they do with it once it is in their hands. In some cases, they may share the information with a national medical information databank. DPC will provide you with a copy of any report we submit, if you request it. Once DPC has all of the information about your insurance coverage, you and your psychologist will discuss what you can expect to accomplish with the benefits that are available and what will happen if they run out before you feel ready to end your sessions. It is important to remember that you always have the right to pay for psychological services yourself to avoid the problems described above [unless prohibited by contract].

We appreciate this opportunity to work with you and/or your family member. Please do not hesitate to discuss with us any questions or concerns about this handbook or our policies.