



Comprehensive Notice of Privacy Practices

Smith Psychiatry, LLC. DBA Personal Practitioners
Effective Date: July 8, 2024

We take your data privacy rights seriously and are committed to safeguarding the confidentiality of your medical and personal information, both within our practice and through our website. This *Comprehensive Notice of Privacy Practices* serves three primary purposes:

1. HIPAA Notice of Privacy Practices

In accordance with The Health Insurance Portability and Accountability Act of 1996 (HIPAA), you have certain rights regarding your protected health information, including the right to access, amend, and receive an accounting of disclosures of your health information.

2. Website Privacy Policy

This section outlines how we collect, use, and protect the personal information you provide when using our website and any associated online services or features.

3. California Consumer Privacy Act (CCPA) Rights

Under the California Consumer Privacy Act (CCPA), California residents have specific rights regarding their personal information:

- **Right to Know:** You have the right to request information about the categories and specific pieces of personal information we have collected about you.
- **Right to Delete:** You have the right to request the deletion of personal information we have collected from you, subject to certain exceptions.
- **Right to Opt-Out:** You have the right to opt-out of the sale of your personal information.
- **Right to Non-Discrimination:** You have the right not to receive discriminatory treatment for exercising any of your CCPA rights.



How We May Use and Disclose Your Protected Health Information

We may use your medical information to provide psychiatric treatment or telehealth services. We may disclose medical information about you to doctors, nurses, technicians, or other personnel involved in caring for you.

1) For Payment

We may use and disclose medical information about you so that the treatment and services you receive from us may be billed to, and payment may be collected from you, an insurance company, or a third party.

2) For Healthcare Operations

We may use and disclose your health information for our healthcare practice operations. These uses and disclosures are necessary to run our practice and ensure that all our patients receive quality care.

3) Third-Party Services

We may use third-party services for software platform integrations, analytics, payment processing, or other essential healthcare practice functions. Various analytics or payment processing functions. These third parties may have access to some of your personal information to perform their functions.

When this information includes protected health information (PHI) covered by HIPAA, it is subject to Business Associate Agreements (BAAs) that we have in place with these service providers to ensure they protect your information and use it only for the specific purpose for which it was shared. You may request a copy of our BAAs with third-party services involved in the processing of your PHI at any time by sending a formal request to hipaa@personalpractitioners.com. Please allow up to 3 business days for a response.



4) Telehealth Services

We offer telehealth services using Zoom for Healthcare, a HIPAA-compliant video conferencing platform for healthcare providers. We apply the same privacy practices and standards to our telehealth services as we do for in-person visits.

Zoom for Healthcare provides enhanced security features, including:

- End-to-end encryption for all video, audio, and screen-sharing data
- Secure chat features
- Waiting room functionality to control session participants.

While we have chosen this platform for its robust security measures and HIPAA compliance, it's important to note that no electronic transmission method is entirely without risk. We encourage patients to ensure their privacy during telehealth sessions, such as using a private, secure internet connection and participating in sessions from a private location.

Our staff is trained in best practices for conducting secure telehealth sessions, and we continually review and update our procedures to maintain the highest standards of patient privacy and data security.

Your Rights Regarding Your Protected Health Information

You have the following rights regarding medical information we maintain about you:

- Right to Inspect and Copy
- Right to Amend
- Right to an Accounting of Disclosures
- Right to Request Restrictions
- Right to Request Confidential Communications
- Right to a Paper Copy of This Notice

Breach Notification

In the unlikely event of a breach of unsecured protected health information, we will notify you promptly in accordance with applicable laws and regulations, including HIPAA.

1. **What Constitutes a Breach:** A breach is generally defined as an impermissible use or disclosure of protected health information that compromises the security or privacy of that information.



2. **Notification Process:** If we determine that a breach has occurred, we will notify affected individuals without unreasonable delay and no later than 60 calendar days after discovering the breach.
3. **Method of Notification:** We will provide written notification by first-class mail or email if you agree to receive such notices electronically. If we have insufficient or out-of-date contact information, we may provide substitute notice by an alternative form, such as posting on our website or in major print or broadcast media.
4. **Content of Notification:** Our breach notification will include, to the extent possible:
 - A description of what happened.
 - The types of information involved.
 - Steps you should take to protect yourself from potential harm.
 - What we are doing to investigate the breach, mitigate harm, and prevent future breaches
 - Contact procedures for more information.
5. **Reporting to Authorities:** For breaches affecting 500 or more individuals, in accordance with HIPAA regulations, we will notify prominent media outlets and the Secretary of the U.S. Department of Health and Human Services.

Data Retention

We retain different types of information for varying periods in compliance with applicable laws and regulations:

1. **Medical Records:** We retain medical records for at least 7 years from the date of last service or until 2 years after a minor patient reaches the age of majority, whichever is longer.
2. **Billing Information:** We retain billing records for 7 years from the date of service or final payment, whichever is later.
3. **Website Data:** Personal information collected through our website is retained for 3 years from the last interaction or account activity.
4. **Email Communications:** Emails related to patient care are incorporated into the medical record and retained accordingly. Other email communications are generally retained for 3 years.



5. **Security Logs:** System and security logs are retained for 6 years to help maintain the security of our systems and detect potential threats.

After the retention period expires, we securely dispose of the information in accordance with industry best practices and applicable regulations. Please note that these retention periods may be extended if the information is relevant to legal proceedings, ongoing treatment, or other legitimate business purposes.

Website Privacy Policy

1. Information We Collect

We collect information you provide directly to us, such as when you create an account, fill out a form, or communicate with us. We may also automatically collect certain information about your device and how you interact with our website.

2. How We Use Your Information

We use the information we collect to:

- Provide, maintain, and improve our services.
- Communicate with you about our services.
- Respond to your comments, questions, and requests.
- Monitor and analyze trends, usage, and activities in connection with our services.

3. Cookies and Tracking Technologies

We use cookies and similar tracking technologies to track activity on our website and hold certain information. You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent.

4. Data Security

We implement reasonable security measures to protect the security of your personal information. However, please be aware that no security measures are perfect or impenetrable.

5. Third-Party Links

Our website may contain links to third-party websites. We are not responsible for such websites' privacy practices or content.

6. Third-Party Services

Our website may use third-party services for various functions, such as website traffic analytics. These third parties may have access to some of your personal information to perform their



functions. However, the information covered under this section is generally distinct from the protected health information (PHI) covered by HIPAA. Our practice undertakes strict data security and auditing procedures to ensure proper categorization and segmentation of data traffic in accordance with your rights.

California Privacy Rights

The California Consumer Privacy Act (CCPA) provides California residents with specific rights regarding their personal information. However, it's important to understand that the CCPA has limited applicability to medical information governed by HIPAA and to our practice as a HIPAA-covered entity.

CCPA Applicability in Healthcare Context

Medical Information: The CCPA does not apply to protected health information (PHI) collected by a HIPAA-covered entity or business associate. Your medical information remains protected under HIPAA and other applicable healthcare privacy laws.

Non-Medical Personal Information: The CCPA may apply to personal information we collect that is not considered PHI under HIPAA. This could include, for example, information collected through our website that is not linked to your medical records.

For non-medical personal information to which the CCPA applies, California residents have the following rights:

1. **Right to Know:** You can request information about the personal information we've collected about you in the past 12 months.
2. **Right to Delete:** You can request the deletion of personal information we have collected from you, subject to certain exceptions.
3. **Right to Opt-Out:** If we sell personal information, you can opt out of that sale.
4. **Right to Non-Discrimination:** We will not discriminate against you for exercising any of your CCPA rights.

To exercise these rights, you may send a formal request electronically to ccpa@personalpractitioners.com. Please allow up to 3 business days for a response.



Complaint Process

If you believe your privacy rights have been violated, you have the right to file a complaint with us or with the U.S. Department of Health and Human Services Office for Civil Rights. We support your right to protect the privacy of your personal and health information. We will not retaliate in any way if you choose to file a complaint with us or with the U.S. Department of Health and Human Services.

To file a complaint with us, please contact our Privacy Officer:

Jonathan Nguyen

CompTIA Cloud Security Professional (CCSP)
Privacy Officer (HIPAA and California Consumer Privacy)



Email: jonathan@personalpractitioners.com

Hours: Monday through Friday, 8 AM – 5 PM

Please allow up to 3 business days for a response.

To file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights, you can:

1. Visit their website at www.hhs.gov/ocr/privacy/hipaa/complaints/
2. Call 1-800-368-1019
3. Send a letter to: U.S. Department of Health and Human Services 200 Independence Avenue, S.W. Washington, D.C. 20201

Changes to This Notice

We reserve the right to change this notice. When we make a significant change in our privacy practices, we will update this notice and post the new notice clearly and prominently on our website. We will also provide you with a copy of the revised notice in the following ways:

1. By email.
2. By posting a notice in our office waiting area.
3. By providing you with a copy at your next appointment.

We will inform you of these changes no later than the effective date of the revised notice. We encourage you to review this notice periodically to stay informed about our privacy practices.