



# Notice of Privacy Practices: Your Privacy, Our Promise

Real Talk - Clinical Psychology 7670 Woodway Dr., Suite 270 - Houston, TX 77063 (832) 583-7373 [www.realtalkpsychology.com](http://www.realtalkpsychology.com) [contact@realtalkpsychology.com](mailto:contact@realtalkpsychology.com)

**THIS NOTICE IS HERE TO HELP YOU UNDERSTAND HOW WE HANDLE YOUR PERSONAL HEALTH INFORMATION. PLEASE READ IT CAREFULLY. IT MATTERS TO US THAT YOU FEEL SAFE AND INFORMED.**

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## I. Our Deep Commitment to Your Health Information Privacy

At Real Talk, we understand that your health journey is deeply personal, and the information you share with us is incredibly sensitive. Protecting your health information isn't just a legal requirement for us; it's a fundamental part of the trust we aim to build with you.

We meticulously document the services you receive from Real Talk. This helps us provide you with the best possible care, comply with legal requirements, and ensure continuity in your therapeutic journey. This Notice applies to all records of your care generated by our practice and outlines how we may use and share your health information. It also clearly outlines your rights regarding the health information we maintain about you and our responsibilities in safeguarding it.

**We are legally and ethically bound to:**

- **Ensure the utmost privacy of your Protected Health Information (PHI)** – this is any information that could identify you.
- **Provide you with this Notice**, clearly outlining our privacy practices and legal duties regarding your health information.
- **Adhere strictly to the terms of the Notice currently in effect.**
- **Notify you** if a breach of your unsecured protected health information occurs, as required by the HIPAA Breach Notification Rule.

We recognize that laws and best practices are continually evolving. Therefore, we reserve the right to update the terms of this Notice from time to time. Any changes will apply to all information we have about you. We promise to make the most current version readily available to you upon request, both in our office and prominently on our website, ensuring you're always up to date.

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## II. How We May Use and Share Your Health Information

We want to be transparent about how we use and disclose your health information. The following categories describe the most common ways we do so. Please know that not every single instance can be listed, but all our permitted uses and disclosures will fall within these frameworks.

- **For Your Treatment, Payment, or Our Healthcare Operations (TPO):** Federal privacy rules allow healthcare providers like us, who have a direct treatment relationship with you, to use or share your personal health information without your specific written authorization for purposes related to your treatment, managing payments for your care, or for our essential healthcare operations. We may also share your protected health information with other healthcare providers involved in your care. This is all done to ensure you receive coordinated and effective treatment.

**Think of it this way:** If your clinician needs to consult with another trusted, licensed healthcare provider about your specific condition to ensure they're offering you the best possible approach, we are permitted to share your health information to assist in your diagnosis and treatment. This is crucial for providing quality care, and unlike some other disclosures, information for treatment isn't limited to a "minimum necessary" standard because your therapist needs a complete picture to support you effectively. "Treatment" is a broad term that encompasses various activities, including coordinating care with other providers, professional discussions, and referrals for specialized care.

- **When Lawsuits or Disputes Arise:** In the rare event you are involved in a lawsuit, we may be legally compelled to disclose health information if we receive a court or administrative order. If your child's health information is requested through a subpoena, discovery request, or other legal process in a dispute, we will always make every effort to inform you about the request or to obtain an order that protects the information before disclosing it. Your privacy remains our priority, even in legal contexts.

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## III. When Your Explicit Authorization is Required

Your trust is paramount, and certain uses and disclosures of your health information absolutely require your specific written authorization.

- **Psychotherapy Notes:** "Psychotherapy notes" are special. As defined by federal regulations (45 CFR § 164.501), these are detailed notes from your therapy sessions that are kept separate from your general medical record. We cherish the privacy of these notes. Any use or disclosure of your psychotherapy notes *always* requires your specific written Authorization, unless it falls into one of these very limited exceptions:
  - For our internal use in providing you with treatment.



- For our use in training or supervising other mental health practitioners, helping them refine their skills in various therapy settings.
  - To defend ourselves in a legal proceeding initiated by you.
  - For an investigation by the Secretary of Health and Human Services into our compliance with HIPAA regulations.
  - When explicitly required by law, and the disclosure is strictly limited to what the law mandates.
  - When required by law for specific health oversight activities related to the originator of the psychotherapy notes.
  - When required by a coroner performing duties authorized by law.
  - When necessary to avert a serious and imminent threat to the health and safety of others.
  - **Marketing Purposes:** As psychotherapists, we absolutely **will not** use or disclose your PHI for marketing purposes without your explicit, written permission. Your personal health information is not a marketing tool for us.
  - **Sale of PHI:** Rest assured, we **will not** sell your Protected Health Information in the regular course of our business. Your data is not a commodity to us.
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#### **IV. When We May Share Your Information Without Your Authorization (Subject to Limitations)**

While your authorization is often required, there are specific situations, subject to legal limitations, in which we may use and disclose your PHI without your explicit permission. These are generally for public good, safety, or legal compliance.

- **When Required by State or Federal Law:** If a specific state or federal law mandates disclosure, we will comply, but only to the extent required by that law.
- **For Public Health Activities:** This includes vital actions like reporting suspected child, elder, or dependent adult abuse, or when we believe it's necessary to prevent or reduce a serious threat to anyone's health or safety.
- **For Health Oversight Activities:** This includes necessary audits, investigations, and inspections conducted by government agencies that oversee the healthcare system.
- **For Judicial and Administrative Proceedings:** If we receive a court or administrative order, we may disclose information. However, our strong preference is always to obtain your authorization before doing so.
- **For Law Enforcement Purposes:** This includes reporting crimes that occur on our premises or in response to specific legal requests from law enforcement, adhering strictly to legal requirements.
- **To Coroners or Medical Examiners:** When these professionals are performing their legally authorized duties, we may provide necessary information.



- **For Research Purposes:** Sometimes, carefully planned and approved research can advance our understanding of mental health. In such cases, your de-identified information (where your identity is removed) or information under strict ethical guidelines may be used, for example, to study and compare the effectiveness of different therapeutic approaches.
  - **For Specialized Government Functions:** This applies to very specific circumstances such as ensuring the proper execution of military missions, protecting the President, intelligence operations, or maintaining safety within correctional institutions.
  - **For Workers' Compensation Purposes:** If your treatment is related to a workers' compensation claim, we may provide your PHI to comply with relevant laws, though we always prefer to have your authorization.
  - **Appointment Reminders and Health-Related Communications:** We may use your PHI to send you appointment reminders (such as a quick text or call) or to inform you about treatment alternatives or other healthcare services we offer that may benefit you. This is part of our commitment to ensuring continuity of your care.
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## V. When You Have the Opportunity to Object to Disclosures

In certain situations, you have the right to object to how your information is shared.

- **Disclosures to Family, Friends, or Others Involved in Your Care and Payment:** We understand that a support system is important. We may share your PHI with a family member, a close friend, or another person you identify as being involved in your care or in paying for your healthcare. However, we will **always** give you the opportunity to object to such disclosures, either in whole or in part. In emergency situations where obtaining your immediate consent isn't possible, we may proceed with disclosure but will seek your consent retroactively as soon as it's feasible.
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## VI. Your Rights Regarding Your Protected Health Information (PHI)

You have significant rights concerning your health information. We are here to assist you in exercising these rights.

- **The Right to Request Limits on Uses and Disclosures of Your PHI:** You have the right to request that we not use or share certain PHI for treatment, payment, or healthcare operations. While we will carefully consider your request, please note that we are not always obligated to agree, especially if we believe it could compromise the quality or safety of your healthcare. If we cannot agree, we will explain.



- **The Right to Request Restrictions for Out-of-Pocket Expenses Paid in Full:** This is an important right for maintaining your financial privacy. If you pay for a healthcare item or service entirely out-of-pocket, you have the right to request that we restrict disclosures of that specific PHI to your health plan for payment or healthcare operations purposes.
- **The Right to Choose How We Communicate With You (Confidential Communications):** We respect your need for privacy in how we contact you. You have the right to request that we contact you in a specific manner (for example, only by phone at your home, not your office, or by sending mail to a different address). We will happily agree to all reasonable requests that you make to protect your privacy.
- **The Right to See and Get Copies of Your PHI:** You have the fundamental right to access your health information. You can request an electronic or paper copy of your medical record and other information we hold about you (excluding psychotherapy notes, as discussed above). We will provide you with a copy or a summary (if you agree to a summary) within 30 days of receiving your written request. We may charge a reasonable, cost-based fee to cover the costs of copying, mailing, or other supplies associated with your request.
- **The Right to Get a List of the Disclosures We Have Made (An Accounting of Disclosures):** You have the right to request a list of instances where we have disclosed your PHI for purposes other than treatment, payment, healthcare operations, or where you provided us with your Authorization. We will respond to your request for this accounting within 60 days. The list will generally include disclosures made over the past six years unless you request a shorter period. We will provide you with one such list free of charge within any 12-month period. For additional requests within the same year, we may charge a reasonable, cost-based fee.
- **The Right to Ask Us to Correct or Update Your PHI:** We strive for accuracy. If you believe there's a mistake in your PHI or that crucial information is missing, you have the right to request that we correct the existing information or add what is missing. We will consider your request carefully. While we may say "no" if we believe the information is accurate or complete, we will always tell you why in writing within 60 days of receiving your request.
- **The Right to Get a Paper or Electronic Copy of this Notice:** You have the right to receive a paper copy of this Notice at any time.

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**Questions or complaints:** Contact our Privacy Officer at 832-583-7373, [contact@realtalkpsychology.com](mailto:contact@realtalkpsychology.com), or 7670 Woodway Dr., Suite 270, Houston, TX 77063. You may also file a complaint with the U.S. Department of Health & Human Services, Office for Civil Rights, without retaliation. See the OCR portal for instructions.

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**Updated:** July 8, 2025