



## Better Solutions Counseling Center

### Legal and Ethical Client Rights

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The Mental Health Professional Licensing Act of 1997 requires that individuals who practice in the areas of social work, counseling, marriage and family and addictions therapy are regulated by either the Wyoming Mental Health Professions Licensing Board; National Association of Forensic Counselors; and / or the Wyoming Board of Psychology. As a recipient of services with Better Solutions Counseling Center we would like to inform you about your legal and ethical rights as a client while we serve you.

#### **Privacy of Information**

##### **Legal Duties**

State and federal laws require that we keep your medical record private. Such laws require that we provide you with this notice informing you of our privacy of information policies, your rights, and our duties. We are required to abide these policies until replaced or revised. We have the right to revise our privacy policies for all medical records, including records kept before policy changes were made. Any changes in this notice will be made available upon request before changes take place. The contents of material disclosed to us in an evaluation, intake, or counseling session are covered by the law as private information. We respect the privacy of the information you provide us and we abide by ethical and legal requirements of confidentiality and privacy of records.

##### **Use of Information**

Information about you may be used by the personnel associated with this clinic for diagnosis, treatment planning, treatment, and continuity of care. We may disclose it to business associates affiliated with this clinic such as billing, quality improvement, training, audits, and certification. Both verbal information and written records about a client cannot be shared with another party without the written consent of the client or the client's legal guardian or personal representative. It is the policy of this clinic not to release any information about a client without a signed release of information except in certain emergency situations or exceptions in which client information can be disclosed to others without written consent. Some of these situations are noted below, and there may be other provisions provided by legal requirements.

- **Duty to Warn and Protect:** When a client disclosed intentions or a plan to harm another person or persons, the BSCC 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, BSCC is required to notify legal authorities and make reasonable attempts to notify your family.
- **Public Safety:** Health records may be released for the public interest and safety for public health activities, judicial and administrative proceedings, law enforcement purposes, serious threats to public safety, essential government functions, military, and when complying with worker's compensation laws.

- **Abuse:** 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, BSCC is required to report this information to the appropriate social service and/or legal authorities. If a client is the victim of abuse, neglect, violence, or a crime victim, and their safety appears to be at risk, we may share this information with law enforcement officials to help prevent future occurrences and capture the perpetrator.

### **Your Rights:**

- You have the right to request to review or receive your medical files. You may request a copy of your records in writing. Records for non-emancipated minors must be requested by their custodial parents or legal guardians. The charge for this service is \$1.00 per page, plus postage.
- You have a right to cancel a release of information by providing us a written notice. If you desire to have your information sent to a location different than our address on file, you must provide this information in writing.
- You have the right to restrict which information might be disclosed to others. However, if we do not agree with these restrictions, we are not bound to abide by them.
- You have the right to disagree with the medical records in our files. You may request that this information be changed. Although we might deny changing the record, you have the right to make a statement of disagreement, which will be placed in your file.
- Prenatal Exposure to Controlled Substances: Health care professionals are required to report admitted prenatal exposure to controlled substances that are potentially harmful.
- In the Event of a Client's Death: In the event of a client's death, parents of a deceased child have a right to access their child's records.
- Professional Misconduct: Professional misconduct by a BSCC therapist must be reported by other BSCC staff / board members. In cases in which a professional or legal disciplinary meeting is being held regarding the therapist's actions, related records may be released in order to substantiate disciplinary concerns.
- Judicial or administrative Proceedings: BSCC board members / staff are required to release records of clients when a court order has been placed.
- Minors/Guardianship: Parents or legal guardians of non-emancipated minor clients have the right to access the client's records.
- You have the right to be free from discrimination due to race, age, national origin, sex, religion or disability in accordance with Title VI of the Civil Rights Act of 1964, as amended, 42 USC 2000d. Title XI of the Education Amendments of 1972, 20 USC 1681\_1686 and s.504 of the Rehabilitation Act of 1973, as amended, 29 USC 794, and the Americans with Disabilities Act of 1990, as amended k, 42 USC 12101-12213l. You have the right to full and equal access to public buildings and public accommodations. You have the right to request services from someone with training or experiences from a specific cultural, spiritual, or gender orientation.

### **Confidentiality:**

Controlled access to my personal information and medical records is outlined in the Federal Confidentiality Law and Regulations Sanctions (42 CFR) and in HIPAA regulations.

- In the event BSCC's staff must telephone the client for purposes such as appointment cancellations or reminders, or to give /receive other information, efforts are made to preserve confidentiality. Please notify us in writing where we may reach you by phone and how you would like us to identify ourselves.

### **Informed Consent:**

Informed consent is the ability to understand information necessary to make a voluntary decision. During your treatment process BSCC staff have the right to terminate therapy if you place yourself or

others at risk. If you knowingly risk your health and safety, your therapist will provide an appropriate referral. You have been informed BSCC does not provide 24 hour 7 day a week support.

**Complaints / Grievance:**

We will investigate your complaints.

- You have the right to due process. Due process is a review that makes sure your rights as a client are not taken away or violated. You have the right to voice grievances without discrimination or reprisal. You have the right to voice opinions, recommendations, and grievances in relation to policies and services offered by Better Solutions Counseling Center without fear of restraint, interference, coercion, discrimination or reprisal.

**First Step:** The first step in expressing your concern(s) is to submit your complaint in writing to Better Solutions Counseling Center’s Board of Directors. All investigations will take place within twenty (20) working days with a response from the Board of Directors. If a resolution is not reached within twenty (20) days, you may take the next step in pursuing your complaint. You may reach the board by contacting:

Better Solutions Counseling Center  
Joanne Reints, President  
2001 Dewar Drive, Suite 270  
Rock Springs, WY 82901  
307-382-3058

**Second Step:** Contact one of the governing bodies below:

Mental Health Professions Licensing Board  
Greg Searls  
2001 Capital Ave, Room 104  
Cheyenne, WY 82002  
307-777-7788

Wyoming Board of Psychology  
Amanda  
2001 Capital Ave, Room 104  
Cheyenne, WY 82002  
307-777-3628

This information is posted in the lobby and will be made available in writing within twenty (20) working days.

If you believe your civil rights have been violated by this agency, a civil rights complaint form and instructions for filing a complaint will be made available at the request within twenty (20) working days.

Client Name: \_\_\_\_\_

I have had this form, *Legal and Ethical Client Rights*, reviewed with me and have received a copy for my records.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Retain signature page for patient file.