

Consiliom, Inc.

Michael C. Graham, MC, PLLC

Sandy Graham, MS, PLLC

RECORDS PROTOCOL AND OFFICE POLICIES

This document describes the policies and procedures followed by Michael C. Graham, MC, PLLC and Sandy Graham, MS, PLLC (hereinafter referred to as “counselors” or “counselor”) regarding the creation, management and disposal of client records.

CONFIDENTIALITY & RELEASE OF RECORDS

The confidentiality of client records is of utmost importance to us and we respect your rights as our client to privacy and confidence in the maintenance of your records. We will make every reasonable effort to insure the confidentiality and security of all components of your client record. It is the intention of the counselors that all client records are maintained in accordance with relevant state and federal regulations, including the American Health Insurance Portability and Accountability Act (HIPPA), Arizona Revised Statutes and the Administrative Rules of the Arizona Board of Behavioral Health Examiners.

1. We will not release your records, or any part of them without your written permission except as required by law.
2. We will maintain your records in a safe, secure manner at all times.
3. All clinical records will be maintained in electronic format using up to date practice management software that complies with all applicable regulations. This includes password protection, appropriate encryption and backup capabilities.
4. All original documents which have been scanned into the client record will be retained for one year after the date of scanning. At the end of each calendar year, all original documents over one year old will be destroyed.
5. All contractors, employees or agents of the counselors, who might have contact with client records, or any part of them, will be informed of the legal and ethical requirements of confidentiality. This includes, but is not limited to, bookkeepers, accountants, attorneys, cleaning staff, compliance auditors, insurance representatives and others. The contractor’s agreement to abide by confidentiality requirements will be documented with a written business associate agreement.
6. Accounting and bookkeeping information will be maintained separate from your clinical record and will not contain personally identifying information.

SECURITY & STORAGE

As mentioned above your records are maintained in electronic format. This may include copies of any emails, fax transmissions and other documentation. The current software being used is called SimplePractice and you may review the security characteristics online at <https://www.simplepractice.com/security>.

Originals of documents scanned into your electronic record are kept in a locked filing cabinet in your counselor’s office. Only the counselors have keys to these filing cabinets. At the end of each calendar year these documents are transferred to a locked filing cabinet in the Consiliom, Inc. administrative offices at 56942 N. Vulture Mine Road, Wickenburg, Arizona 85390. The counselor’s offices and the filing cabinet are locked when the counselors are not present. The administrative offices in Wickenburg are also locked when staffs are not present and an alarm system is engaged. The administrative offices are also monitored by security cameras at all times.

When records are being transported to the administrative office they are accompanied by the counselor at all times.

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COPIES OF RECORDS

1. Active clients may request a copy of records at any time by completing a release of information form. Whenever practical those records will be made available immediately or within a week at most. There is no fee. Active clients may also ask to see the electronic copy of their record at any time during a regular counseling session.
2. Inactive clients (those who have not attended a session in the past three months and do not have an active treatment plan) must complete a release of information form to request a copy of records. It may take up to 30 days, and perhaps longer depending on the size of the record to receive these copies. A fee may be charged for production of these copies.
3. Requests for copies of your record, or part of your record, from individuals or organizations other than you, or your legal representative, will only be honored if the counselor has received a release of information form signed by you in advance. There are a number of exceptions to this which occur if there is a court order or certain other legal procedures. We will always attempt to inform you when required to release your records without your permission. NOTE: In the case of couples counseling and sometimes family counseling no part of the record will be release unless everyone involved approves in writing.
4. Records being released to authorized parties will be mailed and never transmitted electronically or by fax.

DESTRUCTION/DISPOSAL OF RECORDS

1. All records of clients who have not been seen for seven years are destroyed without notice to the client.
2. If the counselors practice is terminated or sold, all clients who have received services from the counselor within the past six years will receive an email or written letter informing them of the action and, if applicable, the new location of records and the name and contact information of the person assuming custody of the records. This letter or email will be sent to clients at least 30 days prior to termination or selling of the practice if possible.
3. If the practice is closing, the letter or email will inform the client how to reach the counselors or their representatives, by phone or email, to obtain their records. It will also let them know that all records will be kept for three months following the sending of the letter.
4. In the case of untimely death, the responsibility of contacting clients will be given to the executor of the will.
5. If no contact has been made by the client three months following the sending of the notice of termination of the practice, the records will be destroyed to maintain confidentiality.