Notice of Privacy Practices

NOTICE OF PRIVACY PRACTICES

Effective Date: July 19, 2027
Practice Name: Buffalo Psychotherapy LCSW, PLLC
Address: 329 Elmwood Avenue, Buffalo, NY 14222-2220
Phone: 716.217.9111
Website & Estimated Fee Schedule: buffalopsychotherapypllc.com
Privacy Officer / Designated Contact: Caitlin Lachaal, LCSW | clachaal@buffalopsychotherapypllc.com | 716.217.9111

THIS NOTICE DESCRIBES HOW MEDICAL AND MENTAL HEALTH INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

1. Our Legal Duties & Your Right to Discuss This Notice
Buffalo Psychotherapy LCSW, PLLC is required by federal law (HIPAA) and New York State law (including NY CPLR § 4508 and NY Public Health Law § 18) to maintain the privacy and security of your Protected Health Information (PHI) and to provide you with this Notice of our legal duties and privacy practices.

- Right to Discuss This Notice: You have the right to discuss this Notice and ask questions about our privacy practices with our Privacy Officer, Caitlin Lachaal, LCSW, at 716.217.9111 or clachaal@buffalopsychotherapypllc.com.
- Changes to This Notice: We must follow the terms of the Notice currently in effect. We reserve the right to change our privacy practices and update this Notice for all records we maintain. Any updated Notice will be posted prominently on our website at buffalopsychotherapypllc.com, available in our office, and provided upon request.

2. How We May Use and Disclose Your Information
Under New York law (NY CPLR § 4508), communications between you and a Licensed Clinical Social Worker (LCSW) are privileged and confidential. Whenever New York law provides stricter privacy protection than HIPAA, we follow the stricter New York rule.

- Treatment & Care Coordination: We may use your PHI internally to provide and manage your mental health and substance use therapy. Before sharing clinical information with outside health care providers, physicians, social service agencies, or community-based organizations for treatment or care coordination, we will obtain your signed written Release of Information (ROI), except in a medical/psychiatric emergency or as otherwise permitted by New York law.
- Payment: We may use and disclose limited PHI to bill and collect payment from you, your health insurance plan, or a third-party payer (such as verifying coverage, submitting claims, or utilization review). Under NY CPLR § 4508(b), sharing limited clinical information necessary for insurance billing does not waive your social worker-client privilege.
- Health Care Operations: We may use and disclose PHI for internal practice operations, such as quality assessment, clinical supervision, clinician training, licensing, audits, and business management (including with HIPAA Business Associates bound by written confidentiality agreements).
- Telehealth Services & Encrypted Platforms: When you receive services via telehealth, we use HIPAA-compliant, encrypted audio-video and client portal platforms to transmit and store your clinical information. We do not record audio or video of telehealth sessions without your explicit written consent.
- Individuals Involved in Your Care: With your written authorization or verbal agreement when present—or in an emergency when you are incapacitated and we determine it is in your best interest—we may share relevant information with a family member, friend, emergency contact, or caregiver involved in your care or payment.
- Records Received from Outside Substance Use Disorder Programs (42 CFR Part 2): Buffalo Psychotherapy LCSW, PLLC is a private psychotherapy practice and is not a federally assisted 42 CFR Part 2 program. However, if you ask an outside 42 CFR Part 2 substance use facility (such as a detox center, inpatient rehab, or opioid treatment program) to send your records to us, we will strictly honor federal Part 2 redisclosure prohibitions and will never use or disclose those records in civil, criminal, administrative, or legislative proceedings against you without your specific written consent or a qualifying court order.

- Other Permitted or Required Disclosures: We may disclose PHI without your authorization when required or permitted by federal or New York law, including:
    - To prevent or lessen a serious and imminent threat to the health or safety of you or another person (including disclosures under NY CPLR § 4508(a)(4));
    - Reporting suspected child abuse or maltreatment as mandated under NY Social Services Law § 413, or reporting abuse/neglect of a vulnerable adult where required by law;
    - Health oversight audits (such as HHS or the NYS Education Department Office of the Professions), public health reporting, coroners/medical examiners, or workers' compensation claims;
    - Pursuant to a qualifying court order or lawful mandate;
    - To Telecommunications Relay Services (TRS) communications assistants to facilitate communication for individuals with hearing or speech disabilities.

3. Uses and Disclosures Requiring Separate Written Authorization
We will obtain your separate, specific written authorization before using or disclosing your PHI for:

- Psychotherapy Notes: Private clinical process notes recorded by your therapist analyzing the contents of a counseling session that are kept separate from the rest of your clinical record require your separate written authorization before nearly any use or disclosure (45 CFR § 164.508(a)(2)).
- HIV/AIDS-Related Information: Protected under New York Public Health Law Article 27-F, which requires a specific NYS-approved HIV release form (DOH-2557) for most disclosures.
- Marketing & Sale of PHI: We will never sell your PHI, nor use it for marketing without your explicit written authorization.

You may revoke any written authorization in writing at any time, except to the extent we have already relied on it.

4. Your Rights Regarding Your Health Information

- Right to Inspect and Copy (15-Calendar-Day Response): You have the right to inspect and get an electronic or paper copy of your clinical and billing records (subject to narrow clinical exceptions under HIPAA and NY Public Health Law § 18).
    - Faster Turnaround: We will act on your request as soon as practicable and no later than 15 calendar days after receiving it (with one possible extension of up to 30 calendar days if we notify you in writing within the first 15 days).
    - In-Person Inspection & Electronic Access: You may inspect your records in person (including taking notes or photographs) and direct us to transmit an electronic copy of your Electronic Health Record (EHR) directly to a designated person or a personal health application of your choice.
    - Fees: Electronic access provided through our client portal or a personal health application is free of charge. For other copies, we charge only a reasonable, cost-based fee in accordance with our posted Estimated Fee Schedule at buffalopsychotherapypllc.com and New York State limits (capped at $0.75 per page for paper copies, and free if requested to support a government benefit application or appeal).
- Right to Request Amendments: If you believe information in your record is incorrect or incomplete, you may ask us to amend it (or submit a written statement of disagreement under NY Public Health Law § 18). We will respond within legal deadlines and explain any denial in writing.
- Right to an Accounting of Disclosures: You have the right to request a list (accounting) of certain disclosures we have made of your PHI, as required by HIPAA and New York law.
- Right to Request Restrictions: You may ask us to limit how we use or disclose your PHI for treatment, payment, or operations, or to people involved in your care. While we are not required to agree to every request, we must agree to restrict disclosures to your health plan if you pay for a service out-of-pocket in full and the disclosure is not required by law.
- Right to Confidential Communications: You may request that we contact you in a specific way (e.g., encrypted client portal only, specific phone number, or specific telehealth contact protocols) or send mail to an alternate address. We will accommodate all reasonable requests.
- Right to Breach Notification: We will notify you without unreasonable delay (and no later than 60 calendar days) if a breach of your unsecured PHI occurs.
- Right to a Paper Copy: You may request a paper copy of this Notice at any time, even if you previously agreed to receive it electronically.

5. Complaints & Non-Retaliation

If you believe your privacy rights under HIPAA or New York law have been violated, you may file a complaint with:

1. Buffalo Psychotherapy LCSW, PLLC Privacy Officer: Caitlin Lachaal, LCSW	329 Elmwood Avenue, Buffalo, NY 14222-2220	716.217.9111	clachaal@buffalopsychotherapypllc.com

2. U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR): Online via the HHS OCR Complaint Portal (hhs.gov) or by mail at 200 Independence Avenue, S.W., Washington, D.C. 20201.
3. New York State Education Department (NYSED) Office of Professional Discipline: 1-800-442-8106 (for complaints regarding a Licensed Clinical Social Worker).

We will never retaliate against you or deny you care for filing a complaint.