



CONFIDENTIALITY

Your work here is confidential and protected by HIPAA & state statutes. Please see the separate HIPAA document for full details.

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The law protects the privacy of all communications between a client and licensed professional counselor. In most situations I can release information about your treatment to others only if you sign a written authorization form that meets the HIPAA requirements.

There are some situations in which I am legally bound to take actions without a signed release. These situations are unusual in my practice and if they should arise, I will discuss the situation with you either before taking action if possible and definitely after. I will limit my disclosure to only what is necessary.

These limits are:

- If I have reason to suspect child or elder abuse or neglect or abuse of a disabled person. A child is anyone under 18 years of age. An elder is a person 60 years and older. In case of such circumstances, I must report this to the appropriate agency.
 - o Once such a report is filed, I may be required to provide additional information.
- If, in my professional opinion, you are in immediate danger of harming yourself, I may be obliged to seek hospitalization for you or to contact family members or others who can help provide protection.
- If I suspect that you pose an immediate threat to harm another person, I am required to take action which includes, but is not limited, to, notifying the potential victim and the police.

There are some situations where I am permitted or required to disclose information without either your consent or authorization.

- If you are involved in a court proceeding, your PHI (Protected Health Information) is protected by the therapist-client privilege law. I cannot provide any information without your written authorization or a court order.
- If a government agency is requesting the information for health oversight activities, I may be

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required to provide it.

- If you file a complaint or lawsuit against me, I may disclose relevant information regarding your treatment in order to respond to the complaint.
- If you file a Workers' Compensation claim, your records relevant to that claim will not be confidential to entities such as your employer, the insurer and the Division of Worker's Compensation.

COMMUNICATION POLICIES

Cell phones: It's important for you to know that cell phones may not be completely secure and confidential. Please call/ return calls when you are in a private location.

Social Media: I do not accept friend requests and/or invitations to connect with current or former clients on any social media sites. In order to protect your confidentiality, I will not communicate through messenger on my professional social media accounts.

Text Messaging/ Email: I use a secure, HIPAA compliant email server and texting platform (Spruce Health).

Contact in Public: In order to preserve your confidentiality, if I see you in public, I will not acknowledge you unless you initiate contact first. If you have any questions about this policy, please discuss them with me in session.

ADDITIONAL DISCLOSURES

Professional Consultation and Supervision: The highest standard of practice for mental health professionals is to receive consultation/supervision from their colleagues and/or a supervisor in order to maintain the highest quality of services. I consult with my fellow clinicians on a regular basis to ensure quality care and effective treatment. In these consultation sessions, I make every effort to protect your identity and the other professionals are also legally bound to keep the information confidential. If you know any of these therapists personally, professionally, or otherwise, I will not be discussing your case with them in any manner.

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Ketamine Assisted Psychotherapy and Psychedelic related therapy: I am currently accepting clients for KAP (Ketamine Assisted Psychotherapy). Currently Ketamine is the only psychedelic medication legalized for Psychotherapy in the country and Oregon specifically. Soon Oregon will have Psilocybin as an additional alternative to Ketamine (pending approval within each specific city and county in Oregon). If you are interested in this as an option for psychotherapy, then please discuss this option with me and we can do an assessment for fitness for this treatment. I can not advise you ever on medication of any kind nor can I administer medication of any kind. For the actual medication you will have to seek out the proper medical provider. I do have referrals available upon request for providers that currently work within this area. They will also need to assess you for fitness for the medication and have their own office policies, requirements and assessments that you must adhere to regardless of the policies with Helping Hand Therapy or Michael Higginbotham MS NCC LPC. There is never a guarantee that the medication will be made available before or even after fitness has been determined (including after initial doses). Please understand that this is a developing and exciting area of mental health treatment and things are constantly changing. Please also understand that I will always follow the ACA standards for ethics as well as all applicable federal and state regulations regarding treatment with this style of Psychotherapy. I will never encourage you to take a medication of any kind without first consulting with a medical professional nor to take them illegally for any reason. This notification is not to encourage nor to guarantee treatment of this type. At this time most insurance companies will not cover KAP or psychedelic treatment and thus the cost must be covered out of pocket. Please consult with me in regards to how best to work within this framework.

PROFESSIONAL RECORDS

My professional standards and ethics require that I keep a record of our work together. These records are organized into two separate sections as follows.

The Clinical or Medical Record: This Protected Health Information (PHI) includes information about your reasons for seeking therapy, a description of the ways in which your problem impacts on your life, your diagnosis, the goals that we set for treatment, your progress towards those goals, your medical and social history, your treatment history, any past treatment records that I

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receive from other providers, reports of any professional consultations, your billing records, and any reports that have been sent to anyone, including reports to your insurance carrier. Upon written request you may examine and/or receive a copy of your Clinical Record, unless I believe that access would be harmful to you. In those situations, you have a right to a summary and to have your record sent to another mental health provider or your attorney. In most situations I am allowed to charge a fee of \$6.00 per request if sent electronically up to 100 pages, and I may charge for certain other expenses (an increased fee determined by the State of Oregon will be charged for paper copies). If I refuse your request for access to your records, you have a right of review, which I will discuss with you upon your request. Your records are securely stored for 7 years from the date of the record.

Psychotherapy Notes: Another section of your PHI consists of my Psychotherapy Notes. These are designed to assist me in providing you with the best possible treatment. Psychotherapy Notes vary from patient to patient, and can include the contents of our conversations, my analysis of those conversations, and how they impact your therapy. While insurance companies, attorneys, etc. can request and receive a copy of your Clinical or Medical Record, they cannot receive a copy of your Psychotherapy Notes without your signed, written authorization. The one exception is if a judge demands them. Insurance companies cannot require your authorization as a condition of coverage nor penalize you in any way for your refusal. You may examine and/or receive a copy of your Psychotherapy Notes unless I determine that it would adversely affect your well-being, in which case you have a right to a summary and to have your record sent to another mental health provider or your attorney. Again, I am allowed to charge the appropriate fees as stated above.

Should I be required to provide the insurance company with your PHI, I make every effort to release only the minimum information that is necessary for the purpose requested. This information will become part of the insurance company files and will probably be stored in a computer. Though all insurance companies claim to keep such information confidential, I have no control over what they do with it once it is in their hands. In some cases, they may share the information with a national medical information databank. It is my policy to review any report to an insurer with you prior to submitting it. It is important to remember that you always have the right to pay for my services yourself to avoid the problems described above.

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