

HIGH WATER MENTAL HEALTH COUNSELING PLLC

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NOTICE OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW YOUR HEALTH INFORMATION MAY BE USED AND DISCLOSED AND HOW YOU CAN ACCESS THIS INFORMATION. PLEASE REVIEW IT CAREFULLY. YOU MAY HAVE ADDITIONAL RIGHTS UNDER FEDERAL, NEW YORK STATE, OR OTHER APPLICABLE LAWS.

EFFECTIVE DATE OF THIS NOTICE

This Notice of Privacy Practices became effective on **April 28, 2026**.

I. OUR PLEDGE REGARDING HEALTH INFORMATION

High Water Mental Health Counseling PLLC ("High Water Counseling") understands that information about your health and mental health care is personal. High Water Counseling is committed to protecting the privacy and confidentiality of your Protected Health Information ("PHI").

High Water Counseling creates and maintains records related to the care and services provided to support quality treatment, maintain accurate documentation, and comply with applicable legal and professional requirements.

This Notice of Privacy Practices applies to records generated and maintained by High Water Counseling, including written records, electronic records, telehealth documentation, and other information related to your care.

High Water Counseling complies with applicable federal and New York State laws governing the privacy and confidentiality of mental health information, including the Health Insurance Portability and Accountability Act of 1996 ("HIPAA").

This notice explains:

- How High Water Counseling may use and disclose your health information
- Your rights regarding the health information maintained about you
- High Water Counseling's responsibilities regarding the protection of your health information

High Water Counseling is required by law to:

- Maintain the privacy of PHI that identifies you
- Provide this notice explaining privacy practices and legal responsibilities
- Follow the terms of the Notice of Privacy Practices currently in effect

High Water Counseling reserves the right to update this notice at any time. Any changes will apply to all PHI maintained by the practice. The updated notice will be available upon request and posted on the practice website.

II. HOW HIGH WATER COUNSELING MAY USE AND DISCLOSE HEALTH INFORMATION

The following categories describe different ways High Water Counseling may use and disclose your health information. Not every possible use or disclosure is listed; however, all permitted uses and disclosures will fall within the categories described below.

Treatment, Payment, or Health Care Operations

HIPAA allows healthcare providers with a direct treatment relationship with a client to use and disclose PHI without written authorization for purposes related to treatment, payment, and health care operations.

Treatment

High Water Counseling may use and disclose your PHI to provide, coordinate, and manage your mental health care.

This may include consultation with other licensed healthcare professionals involved in your care when necessary for assessment, diagnosis, treatment planning, coordination of care, or continuity of services.

Treatment-related disclosures are not limited by the minimum necessary standard when access to complete information is necessary to provide appropriate care.

Payment

High Water Counseling may use and disclose your PHI to obtain payment for services provided. This may include billing, processing insurance claims, verifying benefits, and communicating with payers when applicable.

Health Care Operations

High Water Counseling may use and disclose your PHI for practice operations, including:

- Quality improvement activities
 - Compliance and regulatory requirements
 - Recordkeeping
 - Administrative functions
 - Appointment reminders
 - Billing documentation
 - Practice management activities
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Lawsuits and Disputes

If you are involved in a legal dispute, High Water Counseling may disclose health information in response to a court or administrative order.

High Water Counseling may also disclose health information in response to subpoenas, discovery requests, or other lawful legal processes when permitted by law.

Where permitted, reasonable efforts may be made to notify you or seek appropriate protections for the information requested.

III. CERTAIN USES AND DISCLOSURES REQUIRE YOUR AUTHORIZATION

Certain uses and disclosures of PHI require your written authorization.

Psychotherapy Notes

High Water Counseling may maintain psychotherapy notes as defined under HIPAA regulations.

Psychotherapy notes receive special protection, and their use or disclosure generally requires your written authorization unless otherwise permitted by law, including:

- Use by the treating clinician for treatment purposes
 - Use for training or supervision of mental health professionals
 - Defense of legal proceedings initiated by the individual
 - Compliance investigations by the U.S. Department of Health and Human Services
 - Uses or disclosures required by law
 - Certain health oversight activities
 - Disclosures required by coroners or medical examiners
 - Prevention of a serious threat to health or safety
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Marketing Purposes

High Water Counseling will not use or disclose your PHI for marketing purposes without your written authorization.

If you voluntarily provide a testimonial, review, or public statement regarding services received, High Water Counseling will obtain appropriate written authorization before using information that may identify you or contain PHI.

You may revoke authorization in writing at any time. Revocation will not affect information previously disclosed based on your authorization.

Sale of Protected Health Information

High Water Counseling will never sell your PHI.

IV. USES AND DISCLOSURES THAT DO NOT REQUIRE YOUR AUTHORIZATION

Subject to applicable legal requirements, High Water Counseling may use or disclose PHI without authorization for the following purposes:

Appointment Reminders and Health-Related Services

High Water Counseling may contact you regarding appointments, treatment options, or other health-related services.

Required by Law

High Water Counseling may disclose PHI when required by federal, state, or local law.

Public Health Activities

High Water Counseling may disclose PHI for legally required public health activities, including reporting suspected abuse or neglect involving children, older adults, or dependent adults.

Health Oversight Activities

PHI may be disclosed for audits, investigations, licensing activities, and other oversight functions permitted by law.

Judicial and Administrative Proceedings

PHI may be disclosed in response to lawful court orders, subpoenas, or administrative proceedings.

Law Enforcement Purposes

PHI may be disclosed to law enforcement when legally authorized or required.

Coroners and Medical Examiners

PHI may be disclosed to coroners or medical examiners performing duties authorized by law.

Workers' Compensation

PHI may be disclosed when necessary to comply with workers' compensation laws.

Specialized Government Functions

PHI may be disclosed for certain specialized government functions when permitted by law.

V. DISCLOSURES WHERE YOU HAVE THE OPPORTUNITY TO OBJECT

Individuals Involved in Your Care

You have the right and choice to request that High Water Counseling share your PHI with a family member, friend, or another individual involved in your care or payment for services.

In emergency situations, information may be shared when necessary to prevent a serious and immediate threat to health or safety as permitted by law.

VI. YOUR RIGHTS REGARDING YOUR PHI

You have the following rights regarding your protected health information:

Right to Request Restrictions

You may request restrictions on how High Water Counseling uses or discloses your PHI for treatment, payment, or health care operations.

High Water Counseling is not required to agree to every request.

Right to Request Restrictions for Out-of-Pocket Payments

If you pay for a service completely out-of-pocket, you may request that information related only to that service not be disclosed to your health plan.

Right to Request Confidential Communications

You may request that High Water Counseling communicate with you in a specific manner or at a specific location. Reasonable requests will be accommodated.

Right to Access Your Health Information

You may request access to and copies of your health records, except where access is limited by law, including psychotherapy notes.

Requests will generally be fulfilled within 30 days as permitted by law. Reasonable fees may apply.

Right to Request an Accounting of Disclosures

You may request a list of certain disclosures of your PHI made outside of treatment, payment, health care operations, or disclosures made with your authorization.

Requests will generally be addressed within 60 days and may include disclosures made during the previous six years.

Right to Request Corrections

You may request corrections or updates to your PHI if you believe information is inaccurate or incomplete.

High Water Counseling may deny a request in certain circumstances but will provide a written explanation as required.

Right to Receive a Copy of This Notice

You have the right to receive a paper or electronic copy of this Notice of Privacy Practices.

Right to Revoke Authorization

You may revoke a previously provided authorization in writing, except where action has already been taken based on that authorization.

Right to File a Complaint

If you believe your privacy rights have been violated, you may contact High Water Counseling or file a complaint with:

U.S. Department of Health and Human Services

Office for Civil Rights

200 Independence Avenue, S.W.

Washington, D.C. 20201

(877) 696-6775

High Water Counseling will not retaliate against you for filing a complaint.

VII. ELECTRONIC COMMUNICATION AND TELEHEALTH

High Water Counseling may communicate with you through electronic methods, including email, text messaging, and telehealth platforms, for scheduling, administrative communication, and care coordination.

While reasonable safeguards are used, electronic communications cannot guarantee complete confidentiality and may involve privacy risks.

Electronic communication should not be used for emergencies or urgent mental health concerns.

Telehealth services are provided with your consent and maintain confidentiality protections consistent with applicable law. You may decline or withdraw consent for telehealth services at any time.

VIII. CLINICAL DOCUMENTATION TECHNOLOGY

High Water Counseling may use secure, HIPAA-compliant technology to support clinical documentation and administrative processes.

Any technology used to support documentation is implemented with reasonable safeguards designed to protect client privacy and confidentiality.

IX. CHANGES TO THIS NOTICE

High Water Counseling reserves the right to change the terms of this Notice of Privacy Practices.

Any changes will apply to all PHI maintained by the practice.

The updated notice will be available upon request and posted on the High Water Counseling website.

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