

THERAPY IS CONFIDENTIAL

Everything that happens in therapy is strictly confidential and protected under the law. Your therapist cannot discuss anything about your therapy, or even identify that you are a client, unless you give your written permission. There are some instances when a therapist will talk with someone about your case without obtaining your consent that is allowed under the law. These include reviewing your case during Clinical Supervision or Peer Consultation, sharing required information with your health insurance, discussing your case with other mental health or healthcare providers to collaborate services provided to you.

There are some instances in which a therapist is required to break confidentiality under the law. These include:

MANDATED REPORTING LAWS

Child Abuse includes physical or sexual abuse, neglect, excessive corporal punishment, child abduction and exposure to domestic violence that is traumatizing to the child. Child abuse reporting only applies to children who are currently under the age of 18. Abuse that happened in your childhood prior to becoming an adult is not reportable unless there is a child who is currently in danger of being abused. The therapist is required to report suspected child abuse in addition to known incidents of abuse. Child abuse is reported to the Department of Children and Family Services who will investigate the abuse allegations.

Dependent Adult/Elder Abuse includes physical abuse, sexual abuse, neglect, abduction, financial abuse, self-neglect, isolating the adult and not providing proper care, including medical and mental health needs. Again, the therapist is required to report suspected abuse in addition to know abuse.

INTENT TO HARM YOURSELF OR OTHERS

If you disclose the intention or a plan to harm another person, I am legally required to warn the intended victim and report this information to legal authorities. If you discloses or imply that you have plan for to harm or kill yourself, I, as a therapist, I am required by law to take precautions to keep you safe, which includes contacting a family member or friend to watch over you for a specified amount of time, a referral to a psychiatric hospital or police intervention if necessary.

PRIVILEGE

Privilege is a legal concept. In a court of law, your right to confidentiality is legally protected. The only way this can be broken is under the following conditions:

You elect to waive your right to privilege If you are in a court proceeding and want the therapist to testify on your behalf or release your records to your attorney or the court, you are waiving your right to privilege. You must give your therapist written permission to waive your right to privilege. It is important to know that any time you waive your right to privilege all of your therapy records can be released to the court and attorneys. You cannot control what content is released. You cannot control the content of the therapist's testimony.

Introducing your mental status in court If you use your mental health status in court or introduce it during a legal proceeding, you automatically waive your right to privilege.

Lawsuits If you decide to pursue legal action against your therapist or the therapist seeks legal remedies to obtain payment for services provided for which you refused to pay, you do not have the right to privilege.

Judges Order Therapists are required to release client records or testify in court if a judge orders this. This does NOT include subpoenas from attorneys.

MINORS/GUARDIANSHIP

Parents or legal guardians of non-emancipated minors have the right to access the client's records. I ask all parents not to do this for the success of treatment of your child, but it is a parent's legal right, unless the minor meets the exceptions to mental health treatment under the law

DEATH OF A CLIENT

In the case of your death, all of your records are still protected under the law unless you have specified otherwise in writing to me. For minors, parents and legal guardians have a legal right to access your records if you die.