

CONSENT FOR EMAIL/TEXT COMMUNICATION

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I will be happy to respond to your query within reason, but to do so via email you must provide your consent, recognizing that email is not a secure form of communication. There is some risk that any protected health information that may be contained in such email may be disclosed to, or intercepted by, unauthorized third parties. I will use the minimum necessary amount of protected health information to respond to your query. If you wish to conduct this discussion via email, please indicate your acceptance of this risk with your email reply. Alternatively, please call my office to arrange a phone conversation or office visit. New communication technologies must never replace the crucial interpersonal contacts that are the very basis of the patient-physician relationship. Rather, electronic mail and other forms of Internet communication should be used to enhance such contacts. Patient-psychologist electronic mail is defined as computer-based communication between psychologists and patients within a professional relationship, in which the psychologist has taken on an explicit measure of responsibility for the patient's care. These guidelines do not address communication between psychologists and consumers in which no ongoing professional relationship exists, as in an online discussion group or a public support forum.

Communication Guidelines:

I will return emails as soon as possible, but within 24 hours of receipt during business hours. If I am on vacation, emails may or may not be returned until I return. I will have a therapist on call for emergencies, but you will need to call my office for that information.

All email/text communication will be retained either by paper and/or electronic copies, within the limits of the server.

Therapeutic communication (sensitive subject matters) should be kept at a minimum. Please call the office to set up an appointment for therapeutic matters.

E-mail correspondence will not be used to establish a patient-psychologist relationship. Rather, e-mail should supplement other, more personal, encounters. Without the benefit of face-to-face interaction, emails can be misinterpreted in tone and meaning.

Email or text communication to change an appointment is acceptable.

Please put in subject line the nature of the communication (e.g., appointment, advice, billing question).

Please make sure your name and/or identifying information about the patient is in the body of the message.

As best as possible, please be concise in your email. If the matter cannot be written in a concise fashion, please call the office to schedule an appointment.

I will configure an automatic reply to acknowledge receipt of message, if I am not available to read your message within 24 hours business day receipt.

I will also send you a new message to inform you of completion of request.

You will be reminded if you do not adhere to these guidelines. If necessary, I will terminate the email/text relationship.

I request that the patient use an auto-reply feature to acknowledge reading clinician's message.

Encrypted messages are the most protected form of communication, however, I do not presently use an encryption program. **If you wish to receive emails, including confirmations, please initial here _____ .**

My computer(s) is/are password protected.

Your email/text will not be forwarded to a third party without your expressed permission, unless you have already signed a release for me to communicate with a professional.

Your email address will not be used in any marketing scheme.

My office manager and I are the only ones with access to my email address or mobile number (for texts or voice mail messages).

I will double-check all "To" fields prior to sending messages.

I will back-up all communication weekly. Communication backups will be maintained for the term applicable to paper records.

These policies also apply to facsimile communications.

Summary of risks of using email: Email is a useful method of correspondence for clients. Transmitting confidential information by e-mail can create a number of risks, both general and specific that clients need to be aware of if they choose this method of correspondence.

A. General email risks include but are not limited to the following:

- Email can be immediately broadcasted worldwide and received by many intended and unintended recipients;
- Recipients can forward email messages to other recipients without the original sender's permission or knowledge;
- Users can easily send an e-mail to the incorrect address;
- Email is easier to falsify than handwritten or signed documents;
- Backup copies of email may exist even after the sender or the recipient has deleted his or her copy;
- Without the benefit of face-to-face interaction, emails can be misinterpreted in tone and meaning.

B. Specific email risks include but are not limited to the following:

- Email containing information pertaining to a patient's diagnosis and/or treatment must be included in the patient's medical records, thus, all individuals who have access to the medical record will have access to the email messages
- If you are sending your emails from your employer's computer, your employer does have access to your emails.
- While it is against the law to discriminate and Texas subscribes to a "no cause" termination policy, an employer who has access to your email can use the information to discriminate against the employee. Additionally, the employee could suffer social stigma from a workplace disclosure.
- Insurance companies who learn of your PHI information could deny you coverage.
- Although therapists will endeavor to read and respond to email correspondence promptly, they cannot guarantee that any particular email message will be read and responded to within any particular time frame. The exception would be that the email is part of a scheduled time frame for a prepaid email counseling session.

C. Conditions for use of email: All email messages sent or received that concern your diagnosis or treatment or that are part of your medical record will be treated as part of your PHI. Reasonable means will be used to protect the security and confidentiality of the email. Because of the risk outlined above the security and confidentiality of email cannot be guaranteed. Your consent to email correspondence includes your understanding of the following conditions:

- All emails to and from you concerning your personal health information (PHI) will be a part of your file and can be viewed by health care and insurance providers and the therapist's office support staff.
- Your email will not be forwarded outside the office without your consent or as required by law.
- Though all efforts will be made to respond promptly this may not be the case. Because the response cannot be guaranteed please do not use email in a medical emergency.
- You are responsible for following up with the therapist or support staff if you have not received a response.
- Medical information is sensitive and unauthorized disclosure can be damaging. You should not use email for communications concerning diagnosis or treatment of AIDS/HIV infection, other sexually transmissible diseases, mental health, and developmental disability or substance abuse issues.
- Since employers do not observe an employee's right to privacy in their email system, you should not use their employer's email system to transmit or receive confidential emails.
- The clinician will take reasonable steps to ensure that all information shared through emails is kept private and confidential. However, Amy Sheinberg, Ph.D. is not liable for improper disclosure of confidential information that is not a result of our negligence or misconduct. Client information is protected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. 1320 et seq. 45 C.F.R. Parts 160 & 164, and the Confidentiality Law, 42 U.S.C. 290dd-2, 42 C.F.R. Part 2 Federal rules prohibit you from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 C.F.R. Part 2. A general authorization for the release of medical or other information is not sufficient for this purpose. The Federal rules restrict any use of the information to criminally investigate any Alcohol or Drug abuse.

INFORMED CONSENT

- If you consent to the use of email, you are responsible for informing your therapist of any type of information that you do not want sent to you by email other than the information detailed in Section B.
- You are responsible for protecting your password and access to your email account and any email you send or you receive from Amy Sheinberg, Ph.D. to ensure your confidentiality. Your clinician cannot be held liable if there is a breach of confidentiality caused by a breach in your account security.
- Any email that you send that discussed your diagnosis or treatment constitutes informed consent to the information being transmitted. If you wish to discontinue emailing information, you must submit written consent or an email informing your clinician that you are withdrawing consent to email information.

_____ Yes, I have read the above and consent to unencrypted, but confidential email/text correspondence.

_____ No, I am not interested in email/text correspondence.

Patient Signature _____ Date _____

Patient Printed Name _____

If parent is signing on behalf of a client under 18, please complete the information:

Signature of Parent _____ Date _____

Printed Name of Parent _____

Address:

Street _____ City _____ State _____ Zip _____

Parent:

Home Phone _____

Work Phone _____

Cell Phone _____

Psychologist signature _____