

## **AUTHORIZATION FOR USE AND DISCLOSURE OF PROTECTED HEALTH INFORMATION (PHI)**

This authorization complies with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 45 CFR §§160 & 164, the 2024 HIPAA Privacy Rule amendments regarding reproductive health care privacy, 42 CFR Part 2 (Substance Use Disorder records), and applicable Vermont law.

### **Person/Entity Authorized to Disclose Information**

Lakeside Pediatrics is authorized to disclose Protected Health Information (PHI).

#### Description of Information to Be Disclosed

- Complete medical record
- Office visit notes
- Immunization records
- Laboratory/diagnostic results
- Billing/payment information
- Mental health treatment information  
(Protected under 18 V.S.A. §7103 and 12 V.S.A. §1612)
- Substance Use Disorder treatment records  
(Protected under 42 CFR Part 2 and 18 V.S.A. Chapter 84)
- HIV/AIDS-related information  
(Protected under 18 V.S.A. §1092)
- Minor consent services (where permitted under Vermont law, including reproductive health services and certain mental health services)
- Reproductive health care information (see below)

### **Purpose of Disclosure**

- Continuity of care
- Payment/insurance
- School/camp
- Legal
- Public health and safety issues
- Research

### **Special Federal Protection for Reproductive Health Care Information**

(2024 HIPAA Final Rule — 45 CFR §164.502(a)(5)(iii))

Federal law prohibits the use or disclosure of reproductive health care information for purposes of:

- Conducting criminal, civil, or administrative investigations
- Imposing liability on individuals or providers
- Identifying persons who sought, obtained, provided, or facilitated lawful reproductive health care

If reproductive health care information is requested for law enforcement or investigative purposes, Lakeside Pediatrics must obtain a signed attestation confirming the request is not for a prohibited purpose before disclosure.

### **Special Protections Under 42 CFR Part 2 (Substance Use Disorder Records)**

If this authorization includes substance use disorder treatment information:

- Redisclosure is prohibited without specific written consent unless otherwise permitted by 42 CFR Part 2.
- Federal law (42 U.S.C. §290dd-2; 42 CFR Part 2) prohibits unauthorized redisclosure.

The following statement will accompany such disclosure:

*“This information has been disclosed from records protected by federal confidentiality rules (42 CFR Part 2). The federal rules prohibit the recipient from making any further disclosure unless expressly permitted by written consent of the person to whom it pertains or as otherwise permitted by 42 CFR Part 2.”*

### **Vermont Minor Consent Protections**

Under Vermont law, minors may consent independently to certain services, including:

- Reproductive health care (18 V.S.A. §9493)
- Certain mental health services
- Diagnosis and treatment of sexually transmitted infections

If the minor consented independently to such services, parental access may be limited consistent with Vermont law.

### **Right to Revoke**

I understand that:

- I may revoke this authorization at any time in writing (45 CFR §164.508(b)(5)), except to the extent action has already been taken.
- Revocation must be submitted in writing to Lakeside Pediatrics.
- Treatment, payment, enrollment, or eligibility for benefits is not conditioned on signing this authorization, except as permitted under HIPAA.

### **Redisclosure**

Information disclosed pursuant to this authorization may be subject to redisclosure by the recipient and may no longer be protected by HIPAA or Vermont confidentiality laws.

For more information see:

[www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html)

## **PATIENT RIGHTS**

Regarding Protected Health Information (PHI)

(Under HIPAA, 45 CFR §§160 & 164, 42 CFR Part 2, and Vermont Law)

Lakeside Pediatrics is committed to protecting the privacy and confidentiality of your child's health information. Federal and Vermont law provide families with important rights regarding medical information.

### **1. Right to Receive a Notice of Privacy Practices**

You have the right to receive a copy of our Notice of Privacy Practices explaining how we use and disclose Protected Health Information (PHI) and how you may exercise your rights.

### **2. Right to Access and Obtain Copies**

You have the right to:

- Inspect and obtain a copy of your child's medical record
- Receive records in paper or electronic format
- Request records be sent directly to another person or provider

(45 CFR §164.524; 18 V.S.A. §1881)

We may charge a reasonable, cost-based fee as permitted by law.

Certain information may be restricted under federal or Vermont law, including psychotherapy notes or minor-consented services.

### **3. Right to Request Amendments**

If you believe information in your child's medical record is incorrect or incomplete, you may request an amendment in writing.

(45 CFR §164.526)

We will respond within the timeframe required by law.

### **4. Right to Request Restrictions**

You have the right to request restrictions on:

- How we use or disclose PHI
- Disclosure to health plans if services were paid in full out-of-pocket

(45 CFR §164.522(a))

While we are not required to agree to most requested restrictions, we must honor restrictions on disclosures to health plans when services are paid out-of-pocket in full.

## **5. Right to Confidential Communications**

You may request that we communicate with you in a specific way (e.g., at a different phone number or address).

(45 CFR §164.522(b))

We will accommodate reasonable requests.

## **6. Right to an Accounting of Disclosures**

You may request a list of certain disclosures we have made of your child's PHI within the past six years.

(45 CFR §164.528)

## **7. Right to Reproductive Health Privacy Protections**

(2024 HIPAA Final Rule – 45 CFR §164.502(a)(5)(iii))

Federal law prohibits the use or disclosure of reproductive health care information for purposes of:

- Criminal, civil, or administrative investigations
- Imposing liability on individuals or providers
- Identifying persons who sought, obtained, provided, or facilitated lawful reproductive health care

Lakeside Pediatrics will not disclose reproductive health care information for prohibited purposes. In certain situations, we must obtain a signed attestation before disclosing such information.

## **8. Rights Related to Substance Use Disorder Records**

(42 U.S.C. §290dd-2; 42 CFR Part 2)

If your child receives substance use disorder treatment services:

- These records are subject to heightened federal confidentiality protections.
- They cannot be redisclosed without specific written authorization, except as permitted by law.

## **9. Vermont Minor Consent Rights**

Under Vermont law (18 V.S.A. §9493 and related statutes), minors may consent independently to certain services, including:

- Reproductive health care
- Diagnosis and treatment of sexually transmitted infections
- Certain mental health services

When minors lawfully consent to their own care, parental access to those records may be limited.

## **10. Right to File a Complaint**

If you believe your privacy rights have been violated, you may file a complaint with:

Privacy Officer

Melissa Lenihan

Lakeside Pediatrics

128 Lakeside Avenue, Suite 115

Burlington, VT 05401

Phone: 802-860-1928

Email: [m@lakeside.pcc.com](mailto:m@lakeside.pcc.com)

You may also file a complaint with:

U.S. Department of Health and Human Services

Office for Civil Rights (OCR)

200 Independence Avenue, S.W.

Washington, D.C. 20201

1-800-368-1019

<https://www.hhs.gov/ocr>

There will be no retaliation for filing a complaint.

## **11. Right to Receive Breach Notification**

You have the right to be notified if your child's unsecured PHI is breached, as required under (45 CFR §§164.400-414)

## **12. Our Commitment**

Lakeside Pediatrics is committed to:

- Safeguarding health information
- Following all federal and Vermont confidentiality laws
- Providing respectful, equitable, and confidential pediatric care