

# 2026/Notice of Privacy Practices

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## Notice of Privacy Practices

Qualls Footnotes Counseling LLC 223 N. 6th Street  
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Effective Date: January 16, 2026

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THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

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## Our Legal Duties

We are required by law to:

- Maintain the privacy of your protected health information ("PHI").
- Provide you with this Notice of our legal duties and privacy practices.
- Follow the terms of this Notice currently in effect.
- Notify you following a breach of unsecured PHI.

We reserve the right to change this Notice. Any change will apply to all PHI we maintain. The revised Notice will be available upon request, in our office and is available to you at anytime on your client portal.

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## Breach Notification of Unsecured PHI

If a breach of unsecured protected health information ("PHI") occurs, we will notify you in accordance with federal and state law.

A **breach** is the acquisition, access, use, or disclosure of PHI in a manner not permitted under HIPAA that compromises the security or privacy of the information, unless a legal exception applies.

If a breach occurs:

- You will be notified **without unreasonable delay**, and no later than **60 days** after discovery.
- The notification will include:
  - What happened
  - What information was involved
  - Steps you can take to protect yourself
  - What we are doing to investigate and prevent future breaches
  - How to contact us for more information

We will also comply with all required reporting obligations to the U.S. Department of Health and Human Services and, when applicable, to state authorities and the media.

We maintain administrative, technical, and physical safeguards to protect your information.

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## How We May Use and Disclose Your PHI

### 1. For Treatment, Payment, and Health Care Operations

We may use and disclose your PHI without your authorization for:

- **Treatment** – coordination of care, consultations, referrals.

- **Payment** – billing and collection activities.
- **Health Care Operations** – quality assessment, supervision, training, compliance, and business operations.

Disclosures for treatment are not limited by the minimum necessary standard.

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## 2. Other Uses and Disclosures Without Authorization

We may also use or disclose PHI without your authorization when required or permitted by law, including:

- Suspected abuse or neglect of a child, vulnerable adult, or dependent adult (mandated reporting laws)
  - Serious threats to your health or safety or the safety of others (duty to warn/protect)
  - Public health and safety reporting
  - Health oversight activities (audits, investigations, licensure actions)
  - Court orders, subpoenas, or lawful requests
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## Uses and Disclosures That Require Your Written Authorization

We will not use or disclose your PHI without your written authorization for:

### Psychotherapy Notes

Psychotherapy notes are kept separate from your medical record as defined by 45 CFR §164.501. Use or disclosure requires your authorization except for:

- Treatment by the originator
- Training or supervision
- Defense in legal proceedings you initiate
- HHS compliance investigations
- As required by law
- Health oversight of the originator
- Coroners
- To prevent serious and imminent threats

**Marketing We do not use your PHI for marketing purposes.**

**Sale of PHI We do not sell your PHI.**

You may revoke any authorization in writing at any time.

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## Special Protections for Substance Use Disorder Treatment Records

*(42 CFR Part 2 Compliance)*

Some records related to **substance use disorder (“SUD”) diagnosis, treatment, or referral** are subject to additional federal confidentiality protections under **42 CFR Part 2**, which provide **stricter privacy safeguards than HIPAA**.

### Use and Disclosure Restrictions

Substance use disorder treatment records — and any testimony relating the contents of those records — **may not be used or disclosed** in any **civil, criminal, administrative, or legislative proceeding against you**, unless:

- You provide **specific written consent, or**
- A **court order** authorizes the disclosure **after notice and an opportunity to be heard** is provided to you or the holder of the record.

A court order authorizing disclosure must be accompanied by a **subpoena or other legal mandate** compelling disclosure before any SUD-related record is released or used.

## No Redisclosure

When substance use disorder information is disclosed, it **may not be redisclosed** unless expressly permitted by law or by your written authorization.

## Limited Exceptions

Disclosure of SUD records without consent may occur only in limited situations allowed by federal law, including:

- Medical emergencies
- Qualified service organization agreements
- Audits or evaluations
- Research under strict safeguards
- Court orders that meet Part 2 requirements

All such disclosures are limited to the **minimum necessary** and handled with heightened confidentiality protections.

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## Uses Where You Have the Opportunity to Agree or Object

We may disclose PHI to family members or others involved in your care or payment unless you object. In emergencies, we may act in your best interest and obtain your permission later.

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## Additional State-Specific Privacy Protections

Because Qualls Footnotes Counseling LLC provides services in **Idaho and Washington**, both federal and state laws apply.

When federal or state law provides greater privacy protection than HIPAA — including laws governing substance use disorder treatment records — we follow the stricter standard.

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## Idaho-Specific Requirements

In addition to HIPAA, Idaho law requires mental health providers to disclose certain information to appropriate authorities in specific situations, including:

- Suspected child abuse or neglect
- Suspected vulnerable adult or elder abuse
- Certain facility-based abuse
- Credible threats of serious harm to identifiable individuals
- Other disclosures required by Idaho law

Disclosures required by state law are made as permitted under 45 CFR §164.512(a)(1) and only to the extent required.

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## Washington-Specific Requirements

### Enhanced Confidentiality

Washington law provides additional protections for mental health records. Disclosure generally requires:

- Your written authorization, **or**
- A specific statutory exception.

### Provider–Client Privilege

Communications between you and your therapist are generally privileged and may not be compelled in court except under limited legal circumstances.

## **Minors and Mental Health Records**

Washington law includes special consent and disclosure rules for minors. In some circumstances, minors may control access to their records, and parental access may be limited by law.

When Washington law provides greater protection than HIPAA, we follow Washington law.

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## **Your Rights Under HIPAA**

You have the right to:

1. **Get a Copy of Your Records** – within 30 days (excluding psychotherapy notes).
2. **Request Corrections** – we respond within 60 days.
3. **Request Confidential Communications** – reasonable requests honored.
4. **Request Restrictions** – we must honor restrictions when you pay out-of-pocket in full and request non-disclosure to your health plan.
5. **Receive an Accounting of Disclosures** – one free request per year for the past six years.
6. **Get a Copy of This Notice** – anytime.
7. **File a Complaint** – without retaliation.

## **To File a Complaint**

**With us:** Rebekah Cotner, LCSW [bekah@quallsfootnotescounseling.com](mailto:bekah@quallsfootnotescounseling.com) (208) 254-1027

**With the U.S. Department of Health & Human Services:** Office for Civil Rights

We will not retaliate against you for filing a complaint.

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## **Acknowledgment of Receipt**

By signing below, I acknowledge that I have received and reviewed the **Notice of Privacy Practices** for Qualls Footnotes Counseling LLC.