

Mi Existencia:Sacred Resistance Collective Privacy Policy

Effective Date: October 30, 2025

This notice explains how your health information may be used and shared, and your rights regarding that information.

Our Commitment to Privacy

Mi Existencia Sacred Resistance Collective is committed to protecting your personal health information (PHI). We maintain records of your care to provide quality services and comply with legal requirements.

We are required by law to:

- Keep your PHI private.
 - Provide this notice explaining our privacy practices.
 - Follow the terms of this notice.
 - Notify you if a breach of unsecured PHI occurs.
 - Update this notice as needed and make it available to you.
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How We May Use and Share Your Information

We may use or disclose your PHI without written consent for:

1. Treatment

To provide, coordinate, or manage your care.

Example: Consulting with another provider about your treatment.

2. Payment

To bill and collect payment for services.

Example: Submitting claims to your insurance.

3. Healthcare Operations

To improve services and ensure quality care.

Example: Reviewing clinical performance or training staff.

These uses are permitted under HIPAA and state law, including Nevada's privacy regulations and California's **Confidentiality of Medical Information Act (CMIA)** and **CPRA**. [[legalclarity.org](https://www.legalclarity.org)]

Your Rights

You have the right to:

- **Access** your medical records.
- **Request corrections** to your records.
- **Limit disclosures** of sensitive information.
- **Receive a copy** of this notice.
- **File a complaint** if you believe your privacy rights have been violated.

California residents have additional rights under CPRA, including:

- The right to know what data is collected.
- The right to delete or correct personal data.
- The right to opt out of data sharing for advertising. [cippa.ca.gov]

Business Associates

We may contract with third parties (e.g., billing services, EHR vendors) to perform services on our behalf. These **Business Associates** must sign a **Business Associate Agreement (BAA)** and follow HIPAA rules to protect your **Protected Health Information (PHI)**. [[compliancy-group.com](https://www.compliancy-group.com)], [[compliancy-group.com](https://www.compliancy-group.com)]

Legal Disclosures

We may disclose PHI:

- **When required by law** (federal, state, or local).
- In response to a **court order** or **administrative request**.

- In response to a **subpoena or discovery request**, only after reasonable efforts to notify you or obtain a protective order. [\[nvbar.org\]](https://nvbar.org)
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Authorization Required for Certain Uses

The following uses of PHI **require your written authorization**:

1. Psychotherapy Notes

Disclosure of psychotherapy notes requires your authorization unless:

- Used by your therapist for treatment.
- Used for supervised training of mental health professionals.
- Used in legal defense if you initiate proceedings.
- Required by law (e.g., oversight, coroner duties, serious safety threats). [\[ecfr.gov\]](https://ecfr.gov), [\[hipaajournal.com\]](https://hipaajournal.com)

2. Marketing

We will obtain your written authorization before using PHI for marketing purposes, unless:

- It's a face-to-face communication.
- It's a promotional gift of nominal value.

If marketing involves **financial gain**, this must be disclosed in the authorization. [\[ecfr.gov\]](https://ecfr.gov)

3. Sale of PHI

We will **not sell your PHI** without your written authorization. "Sale" means exchanging PHI for payment. [\[ecfr.gov\]](https://ecfr.gov)

Under HIPAA and applicable state laws, we may disclose your **Protected Health Information (PHI)** without your written authorization in the following situations:

1. Required by Law

Disclosures mandated by federal, state, or local law (e.g., court orders, subpoenas with proper safeguards). [\[ecfr.gov\]](https://ecfr.gov)

2. Public Health Activities

Includes reporting:

- Child, elder, or dependent adult abuse
- Disease prevention or control

- Serious threats to health or safety [\[cdph.ca.gov\]](https://cdph.ca.gov)

3. Health Oversight

For audits, inspections, investigations, or licensing reviews by authorized agencies. [\[ecfr.gov\]](https://ecfr.gov)

4. Judicial & Administrative Proceedings

PHI may be disclosed in response to a court or administrative order. Subpoenas or legal requests may also be honored if efforts are made to notify you or obtain a protective order. [\[nvbar.org\]](https://nvbar.org)

5. Law Enforcement

Includes reporting crimes on premises or complying with legal processes. [\[ecfr.gov\]](https://ecfr.gov)

6. Coroners & Medical Examiners

PHI may be disclosed for identification, determining cause of death, or other duties authorized by law. [\[ecfr.gov\]](https://ecfr.gov)

7. Research

PHI may be used for approved research projects under Institutional Review Board (IRB) oversight, ensuring privacy protections. [\[wcgclinical.com\]](https://wcgclinical.com)

8. Specialized Government Functions

Includes military missions, national security, presidential protection, and correctional institution safety. [\[keragon.com\]](https://keragon.com)

9. Workers' Compensation

PHI may be disclosed to comply with workers' compensation laws. [\[dhcftp.nv.gov\]](https://dhcftp.nv.gov)

10. Appointment Reminders & Health Services

We may contact you about appointments, treatment alternatives, or health-related benefits/services. [\[ecfr.gov\]](https://ecfr.gov)

11. Serious Threats to Health or Safety

PHI may be disclosed to prevent or reduce a serious threat to you or others, but only to someone able to help

Your Rights Regarding Your PHI

You have the following rights under HIPAA and state law:

1. Request Limits on Use/Disclosure

You may ask us to limit how we use or share your PHI. We may decline if it affects your care.

2. Restrict Disclosure for Out-of-Pocket Payments

If you pay in full out-of-pocket for a service, you can request that we **not share** related PHI with your health plan. We **must comply** unless required by law.

3. Request Confidential Communication

You can ask us to contact you in a specific way (e.g., only at home or via mail to a different address). We will honor **reasonable requests** in writing.

4. Access Your Records

You have the right to **view or receive copies** of your PHI (excluding psychotherapy notes).

- Requests must be in writing.
- We will respond within **30 days** (CA law may require faster response).
- A **reasonable, cost-based fee** may apply.
- If access is denied, you may request a review.

5. Request an Accounting of Disclosures

You may request a list of PHI disclosures made in the past **six years**, excluding those for treatment, payment, or operations.

- First request per year is free; additional requests may incur a fee.
- We will respond within **60 days**.

6. Request Corrections

If your PHI is incorrect or incomplete, you may request a correction in writing with a reason.

- We may deny the request but will explain why in writing within **60 days**.

V. Disclosures That Allow You to Object

We may share your **Protected Health Information (PHI)** with family, friends, or others involved in your care or payment **unless you object**.

- You can object in advance or retroactively (e.g., in emergencies).
- Only information directly relevant to their involvement will be shared.

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Revoking Authorization

You may revoke any authorization at any time by submitting a **written request** to Dr. Bernadette Hinojos, Psy.D. Revocation applies going forward and does not affect disclosures already made based on your prior authorization.

Changes to This Notice

We may update this notice at any time. The revised notice will apply to all PHI we maintain and will be available in our office and on our website.

State Law

California & Nevada law may provide additional privacy protections in some cases. We will comply with all applicable California & Nevada laws.

Consent Statement By signing or verbally agreeing, you confirm that you understand and accept the terms of the Privacy Policy and have had the opportunity to ask any questions.
