

TERMS OF USE / POLICY STATEMENT

Last Updated: September 19, 2018

To better protect your privacy, Michelle Vitti provides this notice explaining her privacy practices. Below I have listed important legal terms that apply to anyone who visits my website or uses my services. These terms are necessary in order to protect both you and I, and to make my services possible. I offer a number of services and part of the terms below may not be relevant to the specific services you use.

1. INFORMATION COLLECTION AND USE

I collect information about visitors to my website so that I can provide an experience that is responsive to my users' and customers' needs. I do not collect personal health information or credit card information through my website. My website may use forms in which you give me contact information (including your name, address, telephone number, and email address) so you can request information or support. I receive and store any information you enter on my website, or give me in any other way, including through email, telephone, or other communications within my private office. You do not need to give me any personal information in order to use my website.

I will not sell, share, trade or otherwise use any information you provide unless you expressly provide in writing permission for such use. I collect this information to improve my service, and to help me determine your individual needs so I may serve you better individually, as well as collectively.

I will not sell, share, trade or otherwise use any personal health information under any circumstances. If you require personal health information, you must request it from me directly via a Personal Health Release form.

I may also collect non-personally identifiable information about you, such as your use of my website, communication preferences, aggregated data relative to my Services, and responses to surveys. I may use or disclose aggregate information only where no individual is identified for a number of purposes, including: (a) Compiling aggregate statistics of usage for improving the website; (b) Developing, maintaining and administering the website; and (c) Following up on comments and other messages that you submit to me through the website.

Please note, to better safeguard your information, please do not include any credit card information in your electronic communication unless it is specifically required by me as part of Services or transaction fulfillment process sites, or my customer contact process.

This website and my Services may contain links to other website. Unfortunately, I am not responsible for the privacy practices or the content of such sites.

2. SECURITY

This website has security measures in place to protect against the loss, misuse or alteration of the information under my control. If my site allows you to enter sensitive information (such as a credit card number) on order forms, I encrypt the transmission of that information using secure socket layer technology (SSL).

I may also at times provide information about you to third parties to provide various services on my behalf, such as providers who process credit card payments. I will only share information about you that is necessary for the third party to provide the requested service. These companies are prohibited from retaining, sharing, buying, selling, storing or using my personally identifiable information for any secondary purposes.

I follow generally accepted standards to protect the personal information submitted to us, both during transmission and once I receive it. No method of transmission over the Internet, or method of electronic storage, is one hundred percent (100%) secure; therefore, I cannot guarantee its absolute security.

3. GOOGLE ANALYTICS AND COOKIES

I may use a tool called “Google Analytics” to collect information about use of this website, such as how often users visit the website, what pages they visit when they do so, and what other sites they used prior to coming to this website. Google Analytics collects only the IP address assigned to you on the date you visit this website, rather than your name or other identifying information.

Google Analytics plants a permanent cookie on your web browser to identify you as a unique user the next time you visit this Site. This cookie cannot be used by anyone but Google, Inc. The information generated by the cookie will be transmitted to and stored by Google on servers in the United States. I use the information received from Google Analytics only to improve services on this website. I do not combine the information collected through the use of Google Analytics with personally identifiable information.

Google’s ability to use and share information collected by Google Analytics about your visits to this website is restricted by the Google Privacy Policy <http://www.google.com/policies/privacy>. You can prevent Google Analytics from recognizing you on return visits to this website by disabling the Google Analytics cookie on your browser.

4. COLLECTION AND USE OF PERSONAL INFORMATION OF CHILDREN UNDER AGE 14

I will not knowingly collect any personally identifiable information from children under the age of fourteen (14) without first obtaining parental consent. Prior to providing any personally identifiable information (your name, email address, address, phone number etc.), children under the age of fourteen (14) must have a parent or legal guardian complete and return (by email) a Parental Consent Form to info@michellelevitttherapy.com.

The consent form states that the child’s “Parent” or “Legal Guardian”, by his or her signature, consents to the collection and transfer of the child’s personally identifiable information. Consent may be revoked by completing a “Revocation of Parental Consent Form” and sending it to the email address above. I encourage parents/guardians to supervise and join their children in exploring cyberspace.

5. TRANSFER OF DATA ABROAD

If you are visiting this website from a country other than the country in which my servers are located, your communications with me may result in the transfer of information across international boundaries. By visiting this website and communicating electronically with me, you consent to such transfers.

6. COMPLIANCE WITH LAWS AND LAW ENFORCEMENT

I cooperate with government and law enforcement officials and private parties to enforce and comply with the law. I will disclose any information about you to government or law enforcement officials or private parties as I, in my sole discretion, believe necessary or appropriate to respond to claims and legal process (including without limitation subpoenas), to protect my property and rights or the property and rights of a third party, to protect the safety of the public or any person, or to prevent or stop activity I consider to be illegal or unethical. I will also share your information to the extent necessary to comply with the Personal Information Protection and Electronic Documents Act (PIPEDA).

To the extent I am legally permitted to do so, I will take reasonable steps to notify you in the event that I am required to provide your personal information to third parties as part of a legal process.

7. CHANGES TO MY PRACTICES

I reserve the right to modify this Privacy Policy at any time. If I decide to change my Privacy Policy, I will post those changes to this Privacy Policy and any other places I deem appropriate, so that you are aware of what information I collect, how I use it, and under what circumstances, if any, I disclose it.

If I make material changes to this Policy, I will notify you here, by email, or by means of a notice on my home page, at least thirty (30) days prior to the implementation of the changes.

8. HEALTH INFORMATION PRIVACY STATEMENT

We are committed to respecting and protecting your privacy. This statement outlines our policies and procedures with respect to collecting, using, and disclosing your personal health information. It also provides information about how you can access records of your personal health information and request correction of recorded information.

A. Definition of “Personal Health Information”

The practice of psychotherapy in Ontario is regulated under the provincial Regulated Health Professions Act. As such, all identifiable information collected by a healthcare practitioner about an individual, in the course of practicing psychotherapy, is considered “personal health information” under the Personal Health Information Protection Act, 2004 (PHIPA). This includes your name and contact information, as well as any information collected/recorded in the course of providing services to you.

B. Collection of Your Personal Health Information

I collect your personal health information only directly from you, except: a) when you have provided consent to obtain such information from others (e.g., reports of previous assessments or of other services); and b) where the law requires or allows me to collect information without your consent (e.g., in an urgent situation, when information is needed to prevent potential harm).

I collect only information from you that I believe is needed: a) to provide you with the services you have requested and/or for which you have been referred; b) to maintain contact with you for service-related or future consent purposes; c) to prevent or offset harm (e.g., asking for an emergency contact). If I collect information from you for any other purpose (e.g., research), it will be done only with your informed consent. If you decide that you do not want to provide this latter type of information, you are completely free to refuse. There will be no impact on your services.

By law and in accordance with professional standards, I am required to keep a record of services provided to and contacts with you. Your record includes information you provide or authorize me to receive, results of any assessments, your service plan, consent forms, contact notes, progress summaries, billing information, and correspondence that I have sent or received related to your service. The physical records are the property of my practice. However, you have rights regarding access to your record and regarding disclosure of information from your record (see below), regardless of the form in which the information is recorded.

C. Use of Your Personal Health Information

In my office, the primary use of your personal health information is to provide services to you. This includes carrying out all of the functions reasonably necessary to provide those services (e.g., service planning and monitoring, maintaining your record, billing, etc.).

I may involve other individuals who may, in the course of their duties, have limited access to your personal information. These include interns, administrative assistants, computer consultants, bookkeepers and accountants, and credit card companies/banks. All staff who come in contact with your personal information are trained in the need for privacy and confidentiality, as well as in my practice’s privacy policies and procedures, including prevention of record loss and unauthorized access. Staff members are allowed to access only that information they have a “need-to-know.” This means that staff members involved in billing, for example, are allowed to access only the information needed to carry out their billing function. They are not allowed to access other information. Personnel who know a client personally are required to declare this and to remove themselves from access to that client’s record unless there is an emergency or unless the client has given express consent for access.

Paper information and electronic hardware are either under supervision or secured in restricted area at all times. In addition, passwords are used and computers are in secure places.

D. Disclosure of Your Personal Health Information

With only a few exceptions, your personal health information will not be disclosed to persons outside this private practice without your knowledge and express consent. The exceptions are circumstances in which disclosure is allowed by law:

- a) When there is a clear and imminent risk of serious bodily harm to someone, including the possibility of self-harm.
- b) When disclosure is needed to receive professional or legal consultation.
- c) For mandatory reporting of a child who might be in need of protection.
- d) For mandatory reporting of a regulated health professional who has sexually abused a client.
- e) In compliance with a court order to release information from a record.
- f) To comply with professional regulations established by the College of Registered Psychotherapists of Ontario, who may inspect records and interview staff as a part of their regulatory activities (e.g., quality assurance) in the public interest.
- g) To comply with regulatory authorities under the terms of the Regulated Health Professions Act (RHPA) for the purposes of the College of Registered Psychotherapists of Ontario for fulfilling their respective mandates under the RHPA, as well as for a defense of a legal issue.
- h) To insurance companies, employee assistance programs, credit card companies or other third-party payers as needed, who often have your consent or legislative authority to direct me to collect and disclose to them certain information in order to demonstrate your entitlement to this funding and to answer questions about my services you have received.

All persons involved in these activities are required by law to maintain the confidentiality of any accessed information. The above exceptions are called “limits of confidentiality.”

If there are other limits of confidentiality in your situation, I will identify and discuss them with you before proceeding with your service.

Please note that the law requires any disclosure of your personal health information to be limited to information that is reasonably necessary for the purpose of the disclosure, and not to include private information provided by a third party, unless you are involved in an open mediation or custody/access assessment. Professional ethical standards additionally require that any information that might cause serious harm to someone not be disclosed, unless the law requires disclosure.

When consenting to the disclosure of your personal health information to another health professional, who is providing services to you, you may restrict me from sharing all or any part of your personal information. However, if in my opinion the information is reasonably necessary for another health service provider to provide appropriate service, I am required by law to inform the other provider that you have refused consent to provide some needed information.

E. Retention And Destruction Of Personal Information

I am required by legislation and my regulatory body to retain personal information for no less than 10 years, and in the case of children, 10 years after the child turns 18. In the case of any matters relating to custody or access, I retain personal information for 10 years after the youngest child is 18.

F. Your Right of Access to your Personal Health Information Record

With only a few exceptions, you have the right to access any record of your personal health information, and to request copies of the information. If the physical record contains personal health information about another individual, that individual's information must be able to be severed from the record before you may access the record. Because of the nature of certain services, severing information in some, not all places of the record can be difficult and at times impossible.

Other exceptions include access to copyrighted psychological test information (test items, protocols, manuals), information provided in confidence by a third party, and information that could result in serious harm to someone's treatment or recovery, or in serious bodily harm to someone.

If you are the custodial parent or guardian of a child receiving service, you may not access (without the child's consent) the personal health information of a child, who was deemed competent and who consented to the service on his/her own. In addition, there are restrictions on custodial parents/guardians access to individual therapy notes regarding their children.

If you request your personal file:

- a) I may need to confirm your identity, if you have not received service for some time, before providing you with this access.
- b) I reserve the right to charge a nominal fee for such requests, including the cost of retrieving your file from storage and separating out your information from those of other affected parties.
- c) If I cannot give you access, I will tell you within 14 days and explain why not.
- d) If you believe there is a mistake in the information, you have the right to ask for it to be corrected. This applies to factual information and not to any professional opinions I may have formed. I may ask you to provide documentation that my files are wrong.
- e) Where we agree there is an error, I will make the correction and notify anyone to whom I have sent the incorrect information. If we do not agree, you may provide a notice of disagreement that will be included in the file and I will forward that notice to anyone else who received the earlier information.

9. CONCERNS AND FURTHER INFORMATION

If you would like more detailed information at any time, would like to access or ask for a correction of your record, have a concern about my privacy policies and procedures, or have a concern about the way your privacy has been handled, please do not hesitate to speak or write to me. This privacy policy has been developed in accordance with the Personal Health Information Protection Act, 2004 (PHIPA) and professional regulations and ethical standards. PHIPA is a complex Act and provides some additional exceptions to the information protection and privacy principles that are too detailed to set out here. There are some rare exceptions to the commitments set out above some of which are listed in my Consent to Counselling and Psychotherapy Form.

Further details of the applicable laws, regulations, and standards may be found at the websites of the Ontario Ministry of Health and Long Term Care (www.health.gov.on.ca), the College of Registered Psychotherapists of Ontario (www.crpo.ca), the Canadian Psychological Association (www.cpa.ca), and the Personal Health Information Protection Act (www.ipc.on.ca).

For more general inquiries, the Information and Privacy Commissioner of Ontario oversees the administration of the privacy legislation in the private sector. The Commissioner can be reached at:

80 Bloor Street West, Suite 1700, Toronto, Ontario M5S 2V1

Phone: (416) 326-3333

Web: www.ipc.on.ca

E-mail: commissioner@ipc.on.ca

10. CHANGES TO THIS NOTICE

I reserve the right to change this policy at any time. Changes will apply to personal health information I already hold, as well as new information after the change occurs. I will post a copy of my current notice on my website at: www.michellevittithrapy.com.

11. CONTACT INFORMATION

If you have any questions about this Privacy Policy, the practices of this website or under my Services, please contact me by email or phone at: (647) 928-7922, or info@michellevittithrapy.com.