

University of Cincinnati
Counseling and Psychological Services (CAPS), Division of Student Affairs
Notice Regarding Confidentiality of Treatment Records
Family Educational Rights & Privacy Act (FERPA)

The privacy of your treatment information is important to all of us at University of Cincinnati (UC) Counseling & Psychological Services (CAPS), Division of Student Affairs. This Notice will tell you about the way we protect that privacy by complying with the Family Educational Rights and Privacy Act (FERPA).

1. What is FERPA?

FERPA is a federal law that protects the privacy of students' "education records." The University of Cincinnati follows FERPA regulations because it receives funds that are administered by the U.S. Department of Education. Under FERPA, "Education Records" are very broadly defined as records that are directly related to a student and are kept by an educational agency or institution, or someone acting for the agency or institution.

2. How does FERPA apply to my records at CAPS?

Under FERPA, the records maintained by CAPS are "Treatment Records". "Treatment records" are records regarding a student aged eighteen (18) or older who is attending a post-secondary institution and which are made or maintained by a physician, psychiatrist, psychologist, counselor, or other recognized professional and which are made, maintained, or used only in connection with the provision of treatment to the student and are not available to other third parties.

3. How does CAPS use my Treatment Records?

CAPS uses your Treatment Records to provide you with healthcare services. We may disclose your records to other healthcare providers who are also providing you with treatment. In general, we will ask you to sign a written consent form before we provide your information to another healthcare provider for treatment. If there is an emergency situation, however, we may provide this information to other providers for your treatment without having you sign a written consent. At your request, we will also provide your Treatment Records to a physician or other appropriate professional for review.

4. Can my CAPS treatment records be shared with people other than healthcare providers without my consent?

In general, we will ask you to sign a written consent before we disclose your CAPS records to anyone for a purpose other than treatment. In the following circumstances, as permitted by FERPA regulations and Ohio State laws, we may disclose your CAPS records without your written consent: (a) to comply with a written subpoena; (b) to comply with a court order; (c) in connection with a health or safety emergency if knowledge of the information is necessary to protect the health and safety of you or other persons; (d) if we know or suspect child abuse or neglect; (e) reasonable cause to believe that an adult is abused who is unable to provide for his or her own care; (f) if you are a member of the military as required by armed forces services; (h) if necessary for national security or intelligence activities; (i) if you file a lawsuit against CAPS and/or UC; and (j) to coroners and/or funeral directors consistent with the law.

5. Confidentiality of Alcohol and Drug Abuse Records

Federal Law and Ohio State Law protect the confidentiality of alcohol and drug program records maintained by UC CAPS. Treatment information on your alcohol or drug use may not be disclosed

without (a) your written authorization; (b) a court order, or (c) unless the disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit or program evaluation.

6. Confidentiality of an HIV test or diagnosis of AIDS or AIDS-related condition

Ohio law requires that we have your authorization or a court order before disclosing the results of an HIV test or diagnosis of AIDS or AIDS-related condition.

7. What are my client rights

We encourage you to ask questions about your therapist's qualifications, your treatment, the therapy process, fees and method of payment, or any other issues.

Right to request an amendment – You have the right to request that your records which you believe to be inaccurate or misleading. All requests must be made in writing and signed by you or your legal representative.

Right to Request Records – We may provide you with copies of the records or arrange for a healthcare provider to be with you when you review them in order to explain the records and/or answer your questions.

Right to Request Restrictions – You have the right to request restrictions of use or disclosure of treatment information even for treatment, payment or operations; disclosure to persons involved in your health care or payment for health care; or disclosure to notify family members or others about your general condition, location, or death. However, CAPS are not required to agree to a restriction you request.

Right to Received Confidential Communications by Alternative Means and at Alternative Locations – You have the right to request and receive confidential communications of treatment information by alternative means and at alternative locations (For example, you may not want a family member to know that you are a client here). Upon request, we will send any communications to an alternate address.

Right to an Accounting – You have right to have accounting of the disclosures of your treatment information upon request.

Right to Inspect and Copy – You have the right to inspect and/or obtain a copy of your treatment information. All requests must be made in writing and signed by you or your legal representative.

Right to a copy of this Notice of Privacy Practices – You have the right to obtain a paper copy of this notice of its privacy practices at your first service from us upon request, even if you have agreed to receive the notice electronically.

8. Where may I direct any other questions I may have about the privacy protections for my UC CAPS records?

University Rules 10.43.11 and 10.43.13 establish University of Cincinnati procedures for FERPA compliance. You may contact or the UC Director of Privacy at (513) 556-3483.

9. What if I have a complaint?

You may contact CAPS at (513) 556-0648 or the UC Director of Privacy at (513) 556-3483 if you have any questions or complaints. FERPA affords students the right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office

U.S. Department of Education
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