

NOTICE OF PRIVACY PRACTICES

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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.

This Notice of Privacy Practices describes how Wild Geese Psychology, PLLC (“Wild Geese Psychology,” “the Practice,” “we,” or “us”) may use and disclose your protected health information (“PHI”), your rights regarding that information, and our responsibilities for protecting it.

Protected health information generally means individually identifiable information about your health, health care, or payment for health care that is protected by applicable privacy law.

Your Rights

When it comes to your health information, you have certain rights. This section explains those rights and some of our responsibilities to help you exercise them.

Get a Copy of Your Health Records

You generally have the right to inspect or obtain a copy of health information maintained about you in a designated record set. You may request an electronic or paper copy. We will respond within the time required by applicable law. In certain limited circumstances, access may be denied. If access is denied, you may have a right to have that decision reviewed. A reasonable, cost-based fee may be charged when permitted by law.

Psychotherapy Notes

HIPAA treats psychotherapy notes differently from the ordinary clinical record. Psychotherapy notes are notes recorded by a mental health professional documenting or analyzing the contents of a counseling conversation that are maintained separately from the rest of the medical record. They do not include information maintained as part of the ordinary clinical record, such as diagnoses, treatment plans, symptoms, medications, session times, or summaries of treatment. Psychotherapy notes generally receive additional privacy protection and generally are not subject to the same patient-access requirements as information contained in the designated record set.

Ask Us to Correct Your Health Information

If you believe information in your record is incorrect or incomplete, you may ask us to amend it. We may deny the request in some circumstances, but if we do, we will provide an explanation as required by law.

Request Confidential Communications

You may ask us to contact you in a particular way or at a particular location. For example, you may request that we contact you only at a particular telephone number or address. We will accommodate reasonable requests as required by law.

Ask Us to Limit What We Use or Share

You may ask us not to use or disclose certain health information for treatment, payment, or health care operations. We are generally not required to agree. However, if you pay for a health care service or item in full out of pocket, you may ask us not to disclose information about that service to your health plan for payment or health care operations purposes. When HIPAA's requirements are satisfied, we must honor that request unless disclosure is otherwise required by law.

Receive an Accounting of Certain Disclosures

You may request a list, or “accounting,” of certain disclosures we have made of your health information during the period allowed by law. The accounting does not include every type of disclosure; certain disclosures for treatment, payment, and health care operations are generally excluded.

Receive a Copy of This Notice

You may request a paper copy of this Notice at any time, even if you previously agreed to receive it electronically.

Choose Someone to Act for You

If another person has legal authority to make health care decisions for you, or is otherwise legally authorized to act as your personal representative, that person may be able to exercise your privacy rights on your behalf. We may require documentation establishing that authority. Different rules may apply to parents, guardians, and other representatives of minors.

File a Complaint

If you believe your privacy rights have been violated, you may file a complaint with Wild Geese Psychology. You may also file a complaint with the U.S. Department of Health and Human Services, Office for Civil Rights. Wild Geese Psychology will not retaliate against you for filing a complaint.

How We May Use and Disclose Your Health Information

Treatment

We may use and disclose your health information to provide, coordinate, or manage your care. For example, with appropriate regard for applicable confidentiality requirements, we may communicate with another health care provider involved in your treatment, such as a primary care provider, psychiatrist, another therapist, or another professional involved in your care.

Payment

We may use and disclose health information in connection with payment for services. For example, we may provide information to your insurance company or health plan to verify eligibility or benefits, submit claims, obtain payment, respond to claim inquiries, obtain authorization when required, or address coverage or billing issues. Information disclosed to an insurer may include diagnoses, procedure codes, dates of service, and other information required for payment or coverage.

Health Care Operations

We may use and disclose health information for activities necessary to operate the Practice and maintain the quality of services.

- quality assessment and improvement;
- compliance activities;
- professional consultation;
- business management;
- credentialing;
- audits;
- legal and accounting services;
- billing administration;
- technology and security operations; and
- other activities permitted by law.

Other Uses and Disclosures Permitted or Required by Law

When Required by Law

We may disclose health information when federal, state, or other applicable law requires us to do so.

Abuse, Neglect, or Exploitation

We may disclose information to appropriate authorities when reporting is required or permitted by applicable law, including circumstances involving suspected abuse, neglect, or exploitation.

Serious Threats to Health or Safety

We may use or disclose information when permitted or required by law to prevent or reduce a serious and imminent threat to the health or safety of a person or the public. Such disclosures will be made only to persons reasonably able to help prevent or reduce the threat, as permitted by law.

Public Health Activities

We may disclose health information for certain public-health activities when permitted or required by law.

Health Oversight Activities

We may disclose information to authorized health-oversight agencies for activities such as audits, investigations, inspections, disciplinary proceedings, credentialing matters, or other legally authorized oversight.

Judicial and Administrative Proceedings

We may disclose health information in response to certain court or administrative orders, subpoenas, discovery requests, or other lawful processes when the requirements of applicable law have been satisfied. A request through litigation or a subpoena does not necessarily mean that all requested information will automatically be disclosed.

Law Enforcement

We may disclose health information to law enforcement officials in circumstances permitted or required by law.

Workers' Compensation

We may disclose health information as authorized by and to the extent necessary to comply with workers' compensation laws or similar programs.

Coroners, Medical Examiners, and Funeral Directors

We may disclose health information to coroners, medical examiners, or funeral directors when permitted or required by law.

Specialized Government Functions

Certain disclosures may be permitted for specialized governmental functions, including activities involving the military, national security, protective services, correctional institutions, or other circumstances specified by law.

Psychotherapy Notes

Psychotherapy notes receive special protection under HIPAA. In most circumstances, Wild Geese Psychology must obtain your written authorization before using or disclosing psychotherapy notes when such notes exist. There are limited exceptions under which authorization is not required, including certain uses by the professional who created the notes and certain uses or disclosures specifically permitted by law.

Psychotherapy notes are not the same thing as your regular psychotherapy record. Your regular clinical record may contain diagnoses, symptoms, treatment plans, progress summaries, medications, functional status, dates and duration of sessions, and other information maintained as part of your health record.

Uses and Disclosures Requiring Your Authorization

For uses and disclosures not otherwise permitted or required by law, we will obtain your written authorization. This generally includes:

- most uses or disclosures of psychotherapy notes;
- most uses or disclosures of PHI for marketing purposes for which HIPAA requires authorization;
- disclosures that constitute a sale of PHI when authorization is required; and
- other uses or disclosures for which HIPAA or applicable law requires written authorization.

If you provide an authorization, you generally may revoke it in writing at any time. Revocation will not affect actions already taken in reliance upon a valid authorization before we received the revocation.

Substance Use Disorder Information

Certain records relating to substance use disorder ("SUD") treatment may receive additional protection under federal law, including 42 CFR Part 2, when those laws apply. When Wild Geese Psychology creates, receives, or maintains records protected by Part 2, we will use and disclose those records only as permitted by applicable law.

When a valid consent permits use or disclosure of Part 2 records for treatment, payment, and health care operations, federal rules may permit a single consent covering future uses and disclosures for those purposes, subject to applicable requirements and limitations. Part 2 records may also be subject to additional restrictions concerning their use in civil, criminal, administrative, or legislative proceedings against the patient. Nothing in this Notice authorizes a disclosure prohibited by 42 CFR Part 2.

Montana Law and Other Privacy Protections

Wild Geese Psychology provides psychological services in Montana and is subject to applicable Montana laws governing health information, mental health information, professional confidentiality, and psychologist-client communications in addition to federal privacy requirements.

When applicable Montana law provides greater privacy protection or imposes more restrictive disclosure requirements than HIPAA, Wild Geese Psychology will follow the more protective applicable requirement. Some disclosures permitted by HIPAA may therefore be more restricted under Montana law or other applicable confidentiality rules.

Minors and Personal Representatives

Parents, legal guardians, and other legally authorized representatives may have rights concerning a minor client's health information. Those rights are not unlimited and may depend upon the minor's age, who consented to treatment, the legal authority of the parent or guardian, applicable Montana law, custody or guardianship orders, the type of service provided, and other circumstances recognized by law.

Wild Geese Psychology will evaluate requests for a minor's health information according to applicable federal and Montana law. Additional information about confidentiality and parental involvement is provided in the Practice's minor-treatment consent materials.

Electronic Communication

Wild Geese Psychology may communicate with you through telephone, voicemail, text messaging, email, patient portal, telehealth technology, or other electronic systems as appropriate. Electronic communication may involve privacy and security risks. We take reasonable steps to protect your information, but no method of electronic communication can be guaranteed to be completely secure. Please avoid including unnecessary sensitive clinical information in ordinary text messages or unencrypted email.

Business Associates

Wild Geese Psychology may use outside individuals or companies to perform services that involve PHI, such as electronic health record services, billing or claims processing, secure communications, payment processing, data storage or backup, accounting, legal services, or other Practice operations. When HIPAA requires it, these organizations are considered business associates and are required by contract and law to appropriately safeguard PHI.

Our Responsibilities

Wild Geese Psychology is required by law to maintain the privacy and security of protected health information. We are also required to:

- provide you with this Notice describing our legal duties and privacy practices;
- follow the terms of the Notice currently in effect;
- provide required notification if a breach occurs that may have compromised the privacy or security of your information;
- comply with applicable restrictions on uses and disclosures of PHI; and
- comply with applicable federal and state privacy requirements.

We make reasonable efforts to limit uses, disclosures, and requests for PHI to the minimum necessary when the minimum-necessary standard applies.

Changes to This Notice

Wild Geese Psychology may change the terms of this Notice and its privacy practices as permitted by law. Changes may apply to information we already maintain as well as information we receive in the future. When a material change is made, we will revise this Notice and make the current version available as required by law. You may request a current copy at any time.

Questions or Complaints

If you have questions about this Notice, want to exercise a privacy right, or believe your privacy rights have been violated, please contact:

Christina Yeagley, Psy.D.

Wild Geese Psychology, PLLC

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Havre, MT 59501

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Email: contact@wildgeesepsychology.com

You may also submit a complaint to the U.S. Department of Health and Human Services, Office for Civil Rights.

Wild Geese Psychology will not retaliate against you for exercising your privacy rights or filing a complaint.

Notice Availability

You have the right to receive a paper or electronic copy of this Notice and to discuss questions about it with Wild Geese Psychology.