

Outline

Overview/Confidentiality of Mental Health Records

- When and to Whom Records Can Be Released
- Mandatory Disclosure Requirements
- Alcohol/Drug and AIDS/HIV Treatment Records
- Necessary Documentation

HIPAA 101 - Federal Confidentiality Regulations

- What Is HIPAA Today?
- How Do I Comply with the Regulations?
- What Are "Psychotherapy Notes"?
- When May I Release Records?
- How Much Paperwork Will This Be for My Office?

Responding to Subpoenas, Court Orders and Law Enforcement

- Subpoenas; Types of Subpoenas; Duty to Respond; Time Limits
- Search Warrants & Court Orders
- Authority to Obtain Information
- Investigations
- Development of Policies and Procedures to Respond

Balance the Rights of Minors & Parents

- Minors' Rights
- Age of Majority
- Access to Records
- Rights of Minors to Refuse/Consent to Medication and Treatment
- Alcohol, Drug Abuse and Treatment Issues for Minors
- Parental Rights
- Custodial and Divorce Factors
- Child Abuse Allegations
- Custodial vs. Non-Custodial Parent's Rights to Records

Voluntary and Involuntary Mental Health Commitments

- Reasons to Use a Voluntary Commitment or an Involuntary Commitment
- Grounds for an Involuntary Commitment: Dangerousness (as Defined by Statute)
- Mental Illness
- Procedures

Professional Ethics and Boundary Issues

- Consent Elements and Competency Issues
- Medication: Right to Refuse
- Restraints and Seclusion
- Individual's Legal Rights
- Informed Consent
- Boundary Issues: Where the Lines Are Blurred
- Prescribing Practices
- Board of Health Professionals Investigation - Disciplinary Proceedings

Legal Liabilities of the Professional

- Duty to Warn Issues
- Professional Obligations and Standards
- Fraud & Abuse Issues
- Billing & Coding Errors
- Documentation
- Compliance with Contradictory Laws



PESI Inc. is proud to offer this seminar (at these locations only) free of charge (on live seminar tuition) for veterans and active duty military personnel. *Advance registration by phone required.*

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Objectives

1. Establish practices for ensuring HIPAA compliance to protect client's privacy and minimize risk of litigation.
2. Compare the different requirements for release of protected health information via subpoenas and court orders.
3. Explore the legal and ethical considerations for the treatment of minor populations in Maryland with regard to age of consent, confidentiality and custody concerns.
4. Differentiate between the processes for voluntary and involuntary commitment for treatment and determine the clinician's role in each.
5. Develop policies on ethical issues such as restraints, seclusion and informed consent.
6. Designate the treatment provider's responsibilities relating to mental health issues and duty to warn law in Maryland.

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Legal Issues in Behavioral Health in Maryland:

Legal and Ethical Considerations

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Legal Issues in Behavioral Health in Maryland:

Legal and Ethical Considerations

- Court Orders: Must You Appear?
- When Not to Release Your Documentation
- Prevent Liability and Avoid Paying Damages
- Protect Your Credentials/ License
- Do's And Don'ts of Documentation
- Why and When to Call an Attorney
- Avoid the Litigation Hot Seat

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Legal Issues in Behavioral Health in Maryland: Legal and Ethical Considerations

Without the proper legal awareness needed to stay in compliance, you may face grave legal and financial consequences. This seminar will show you how to continue to help the people you've been trained to help while still protecting yourself from many legal pitfalls. If you attend only one seminar this year, make it this one.

Join attorney Lois Fenner for an entertaining and enlightening day and leave with a greater understanding of the latest Maryland laws as they relate to behavioral health. You will take home practical strategies to minimize and manage legal and ethical risks and you will learn how to immediately implement these risk reducing strategies into your practice.

Speaker

LOIS FENNER, R.N., M.S., Attorney at Law, is an honors graduate of the University of Maryland School of Nursing Graduate School and the University of Maryland School of Law. She is an attorney and Registered Nurse, Certified Clinical Specialist. Ms. Fenner is a member of the Maryland Trial Lawyers Association, The American Nurse Attorneys Association, Women's Bar Association, past president of the Monumental City Bar Association, Phi Kappa Phi and Sigma Theta Tau Honor Societies and the National Exchange Club. She has been recognized by the Alliance of Black Women Attorneys with the 1997 Distinguished Women in Law Award, the Baltimore Marketing Association Harold Young Leadership Award in 2000, and the Baltimore County Diversity Award in 2001. Additionally, she is a three-time recipient of the Daily Record's Top 100 Women in Maryland Award, and has been recognized as a *Baltimore Business Journal's* Who's Who in Law in 2003.

She was selected as one of the Super Lawyers in 2009 and 2010. Her practice focuses on medical litigation and health care to include medical malpractice, personal injury, accreditation, workers compensation, wrongful death and licensure issues.

Speaker Disclosures:

Financial: Lois A. Fenner is in private practice. She receives a speaking honorarium from PESI, Inc.

Non-financial: Lois A. Fenner has no relevant non-financial relationships to disclose.

This program has been developed for:

Social Workers • Counselors • Psychologists • Marriage & Family Therapists • AODA Professionals
Health Information Managers • Medical Records Professionals • Nurses

Hassle-Free Cancellation Policy: If you contact us before the seminar date, you can exchange for a DVD or CD/digital manual package on the subject (self-study continuing education credit may be available), a certificate to attend another seminar, or receive a tuition refund less a \$30 cancel fee. Substitutions are permitted at any time.



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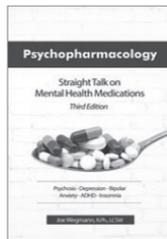


*SAVE BY INCLUDING THESE BOOKS WITH SEMINAR REGISTRATION!

Legal and Ethical Issues for Mental Health Clinicians: Best Practices for Avoiding Litigation, Complaints and Malpractice

By Susan J. Lewis, Ph.D., J.D.

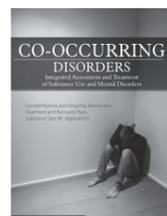
Guidance, strategies, solutions and up-to-date information to help keep you out of court and jail. Easy-to-understand language to step you through the legalese, highlighted by 30 engaging case examples to illustrate how you can overcome legal and ethical challenges, including risk management, contracts, HIPPA privileged communication, licensing complaints, supervision pitfalls, rights of minors and technology.



Psychopharmacology: Straight Talk on Mental Health Medications, 3rd Edition

By Joe Wegmann, PHARM.D., LCSW

A definitive guide to expand your knowledge in the pharmacological and behavioral treatment of psychosis, anxiety, depression, bipolar, insomnia and ADHD. Updates for the third edition include DSM-5 applications, newly released psychiatric meds, new risk factors with antidepressants, and the latest in geriatric psychopharmacology.



Co-Occurring Disorders Integrated Assessment and Treatment of Substance Use and Mental Disorders

By Charles Atkins, MD

A practical, step-by-step guide with diverse case studies gives you the tools to improve your clinical outcomes. Ideal for both the rubber-meets-the-road clinician, who wants effective strategies and a clear direction for treatment and recovery, and the administrator who creates interventions at the system level with attention to regulatory and reimbursement demands.

Live Seminar Schedule:

- 7:30** Registration/Morning Coffee & Tea
- 8:00** Program begins
- 11:50-1:00** Lunch (*on your own*)
- 4:00** Program ends

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Materials that are included in this course may include interventions and modalities that are beyond the authorized practice of mental health professionals. As a licensed professional, you are responsible for reviewing the scope of practice, including activities that are defined in law as beyond the boundaries of practice in accordance with and in compliance with your professions standards.

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ETHICS: This seminar qualifies for 6.25 hours of State specific ethics instruction. If ethics is not specified within your licensing board's approval statement below, please contact your board to determine the applicability and amount of ethics allowed.

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COUNSELORS: This intermediate activity consists of 6.25 clock hours of continuing education instruction. Credit requirements and approvals vary per state board regulations. Please save the course outline, the certificate of completion you receive from the activity and contact your state board or organization to determine specific filing requirements.

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QUESTIONS? Call 800-844-8260 or e-mail us at info@pesi.com.

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ADA NEEDS

We would be happy to accommodate your ADA needs; please call at least two weeks prior to the seminar date.

WALK-INS

Walk-ins are welcome but admission cannot be guaranteed. Call M-F 7:00-6:00 Central Time for space availability if registering within one week of seminar.

TUITION OPTIONS

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• **\$30 Tuition:** If you are interested in being our registration coordinator for the day, go to: www.pesi.com/coord for availability and job description, or call our Customer Service Dept. at 800-844-8260.

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