

Notice of Privacy Practices for the Washington State EAP

For Confidential Client Information

By law, we are required to notify you of your privacy rights, protect your personal health information, notify you if there is a breach under applicable law, and abide by the terms of this notice. This notice does not affect your care or eligibility for the Washington State Employee Assistance Program (EAP) Services.

What confidential information does the EAP have about me?

EAP creates a record of your contact, which includes demographic information, documentation of counseling sessions and EAP assessment, and other health information. Your participation in the employee assistance program and all individually identifiable information gathered in the process of conducting the program is held in strict confidence. ([RCW 41.04.730](#))

Who sees my confidential information?

We keep only the minimum amount of confidential information needed to do our job. We may share information if allowed by law or permitted by you.

May I see my information?

You have the right to request to review or receive a copy of your record. Your provider may charge you for copies of your records.

May I change my records?

If you believe the health information in your record is incorrect, you may send a written request for consideration that we amend or add new information. You may also request that we send the amendments to others who have received a copy of your record.

What if someone else needs my confidential information?

A signed Release of Information form, effective for ninety (90) days from the date you sign it, would allow your information to be shared. You may withdraw or change this permission in writing.

May confidential information be shared without my permission?

EAP may share confidential information under the following conditions:

- **Abuse and Neglect:** we report suspected abuse or neglect of minors, elderly and developmentally disabled to the proper authorities.
- **Threats to Health or Safety:** If we reasonably believe there is an imminent danger to the health or safety of the client or any other individual, we may be required to take protective actions. These actions may include notifying a potential victim, contacting the police, seeking hospitalization for the client, or contacting your emergency contact or others who can help provide protection.
- **Legal Process:** We disclose requested information pursuant to a subpoena or court order or as required by law.
- **To Business Associates:** Business Associates are entities that provide services on our behalf which requires that they create, receive, maintain or transmit your personal information
- **To Government:** when required for specifically identified government functions such as national security or to the Department of Health and Human Services to determine compliance with obligations to protect the privacy of your health information, or to the extent necessary to comply with laws relating to workers' compensation or other similar programs.
- Additionally, RCW 41.04.730 stipulates that if you are referred by agency management due poor job performance, we give agency management only the following information:
 - (1) Whether or not the referred employee made an appointment;
 - (2) The date and time the employee arrived and departed;
 - (3) Whether the employee agreed to follow the advice of counselors; and
 - (4) Whether further appointments were scheduled.

What if privacy practices change?

We reserve the right to change practices in this notice. This notice is posted on our website at [eap.wa.gov](#).

Who do I contact if I have questions?

You may call the EAP at 1-877-313-4455.

How do I report a violation of my privacy rights?

You can file a complaint with the Washington State Employee Assistance Program by calling or in writing at 1222 State Ave NE, Suite 201, Olympia, WA 98504-7540, or contact the Federal Department of Health and Human Services (HHS) at [www.hhs.gov/hipaa/filing-a-complaint](#).

Effective Date February 11, 2020

