

Notice of Privacy Practices

Navigate Recovery PLLC

Melanie Flynn, LMAC

(601) 202-1007

Recovery@recoverynavigate.com

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This Notice replaces all prior versions.

NOTICE OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW HEALTH INFORMATION MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY. This Notice also describes additional federal protections that apply to substance use disorder (SUD) patient records under 42 CFR Part 2.

I. OUR RESPONSIBILITIES REGARDING YOUR HEALTH INFORMATION: Navigate Recovery PLLC is committed to protecting the privacy and security of your health information. We create and maintain records of the care and services you receive from us. These records are necessary to provide quality care, obtain payment for services, operate our practice, and comply with applicable legal requirements. We are required by law to:

- Maintain the privacy and security of your protected health information (PHI) and substance use disorder (SUD) patient records protected by 42 CFR Part 2.
- Provide you with this Notice explaining our legal duties and privacy practices regarding your health information.
- Follow the duties and privacy practices described in the Notice that is currently in effect.
- Notify you promptly if a breach occurs that may have compromised the privacy or security of your health information.
- Obtain your consent or authorization for uses and disclosures of your health information when required by HIPAA, 42 CFR Part 2, or other applicable law.

We may change the terms of this Notice. Changes may apply to all health information we maintain about you, including information created or received before the change. If we make a material change, the revised Notice will be available upon request, in our office, and on our website, if applicable.

II. HOW WE MAY USE AND DISCLOSE YOUR HEALTH INFORMATION:

Navigate Recovery PLLC may use and disclose your protected health information as permitted or required by HIPAA, 42 CFR Part 2, and other applicable laws. Substance use disorder (SUD) patient records protected by 42 CFR Part 2 receive additional federal confidentiality protections.

Treatment

We may use your health information and share it with health care professionals involved in your treatment to provide, coordinate, or manage your care. This may include consultation with other health care providers or referrals to other providers.

For SUD patient records protected by 42 CFR Part 2, we will obtain your consent when required by federal law. You may provide a single consent allowing future uses and disclosures of your Part 2 records for treatment, payment, and health care operations.

Example: With the required consent, we may share relevant information with another health care provider involved in your treatment to coordinate your care.

Payment

We may use and disclose your health information as necessary to bill and obtain payment for the services we provide. This may include providing information to your health insurance plan or another payer.

For SUD patient records protected by 42 CFR Part 2, these uses and disclosures will be made consistent with your consent and applicable federal law.

Example: We may provide necessary information to your health insurance plan so that it can process payment for services you receive from Navigate Recovery PLLC.

Health Care Operations

We may use and disclose your health information as necessary to operate our practice, improve the quality of our services, manage your care, conduct administrative activities, and comply with applicable legal and regulatory requirements.

For SUD patient records protected by 42 CFR Part 2, these uses and disclosures will be made consistent with your consent and applicable federal law.

Example: We may use health information to review the quality of our services, coordinate care, conduct billing and administrative activities, or manage the operation of Navigate Recovery PLLC.

Minimum Necessary Information

When using, disclosing, or requesting protected health information, we will make reasonable efforts to limit the information to the minimum necessary to accomplish the intended purpose when the minimum necessary standard applies. This standard generally does not apply to disclosures to or requests by a health care provider for treatment purposes.

Additional Protections for Substance Use Disorder Records

Part 2 generally requires your consent for most uses and disclosures of your SUD patient records. When your consent permits uses and disclosures for treatment, payment, and health care operations, your information may be shared for those purposes as permitted by applicable law.

We will not use or disclose your Part 2 records for purposes other than those permitted by law or authorized by you. You may revoke your consent in writing as permitted by law. Revocation will not affect uses or disclosures already made in reliance on a valid consent.

III. CERTAIN USES AND DISCLOSURES REQUIRE YOUR AUTHORIZATION:

- 1. Psychotherapy Notes.** If Navigate Recovery PLLC maintains "psychotherapy notes" as that term is defined under HIPAA, most uses and disclosures of those notes require your written authorization. Authorization is not required for certain uses and disclosures permitted by law, including use by the originator of the notes for treatment; certain training or supervision activities; defending a legal action or proceeding brought by you; certain health oversight activities; uses or disclosures required by law; and uses or disclosures necessary to prevent or lessen a serious and imminent threat to health or safety.
- 2. Substance Use Disorder Records (42 CFR Part 2).** Substance use disorder patient records maintained by Navigate Recovery PLLC are protected by federal law under 42 CFR Part 2. We generally will not use or disclose these records unless permitted by law or you provide the consent required by Part 2. A single consent may authorize future uses and disclosures for treatment, payment, and health care operations as permitted by law.
Part 2 records, or testimony describing the information contained in those records, generally may not be used or disclosed in civil, criminal, administrative, or legislative proceedings against you unless you provide specific written consent or a court order meeting the requirements of 42 CFR Part 2 is obtained.
- 3. Marketing.** Navigate Recovery PLLC will obtain your written authorization before using or disclosing your PHI for marketing
- 4. Sale of PHI.** Navigate Recovery PLLC will not sell your PHI without your written authorization when authorization is required by law.

IV. CERTAIN USES AND DISCLOSURES PERMITTED OR REQUIRED BY LAW

Subject to applicable federal and state law, Navigate Recovery PLLC may use or disclose health information without your authorization or consent in certain circumstances, including:

- 1. Medical Emergencies.** We may disclose information to medical personnel when necessary to address a bona fide medical emergency, as permitted by law.
- 2. Child Abuse or Neglect.** We may report suspected child abuse or neglect as required or permitted by state law. For records protected by 42 CFR Part 2, this exception permits the initial report but does not automatically permit disclosure of additional Part 2 records for subsequent investigations or proceedings.
- 3. Crimes on Program Premises or Against Program Personnel.** We may disclose limited information to law enforcement regarding a crime or threat of a crime committed on Navigate Recovery PLLC premises or against Navigate Recovery PLLC personnel, as permitted by law.
- 4. Serious Threat to Health or Safety.** We may disclose information when permitted or required by law to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public.

5. Research, Audit, and Evaluation. We may use or disclose information for certain research, audit, or evaluation activities when the requirements and safeguards established by applicable law are met.

6. Court Orders and Legal Proceedings. We may disclose health information when authorized or required by applicable law or a valid court order. Records protected by 42 CFR Part 2 receive additional protections and generally may not be used or disclosed in civil, criminal, administrative, or legislative proceedings against you unless you provide specific written consent or a court order meeting the requirements of 42 CFR Part 2 is obtained.

7. Required by Law. We may use or disclose your health information when required to do so by federal, state, or local law, subject to any additional protections that apply to substance use disorder records under 42 CFR Part 2.

8. De-identified Information. We may use or disclose information that does not identify you and cannot reasonably be used to identify you, as permitted by law.

9. Appointment Reminders and Health-Related Services. We may use your health information to contact you about appointments, treatment alternatives, or health-related benefits or services that may be of interest to you.

V. YOU HAVE THE FOLLOWING RIGHTS WITH RESPECT TO YOUR HEALTH INFORMATION

1. Right to Request Restrictions. You have the right to ask Navigate Recovery PLLC not to use or disclose certain health information for treatment, payment, or health care operations. We are generally not required to agree to your request unless otherwise required by law.

2. Right to Restrict Disclosures to a Health Plan When You Pay in Full. If you pay for a health care item or service out-of-pocket in full, you may ask us not to disclose information about that item or service to your health plan for purposes of payment or health care operations. We will honor the request when required by law.

3. Right to Request Confidential Communications. You have the right to ask us to contact you in a specific way or at a specific location. For example, you may ask that we contact you only at a particular phone number or send mail to a different address. We will accommodate reasonable requests.

4. Right to Inspect and Obtain Copies of Your Health Information. You have the right to inspect and obtain an electronic or paper copy of health information we maintain about you, with certain exceptions provided by law, including certain psychotherapy notes. We will provide access within the timeframe required by law and may charge a reasonable, cost-based fee when permitted.

5. Right to an Accounting of Disclosures. You have the right to request a list of certain disclosures we have made of your health information. The accounting will include disclosures required by applicable law and generally may cover disclosures made during the six years before your request. We will provide one accounting within a 12-month period at no charge and may charge a reasonable, cost-based fee for additional requests when permitted by law.

6. Right to Request an Amendment. If you believe health information we maintain about you is incorrect or incomplete, you may ask us to amend it. We may deny your request in certain circumstances permitted by law. If we deny the request, we will provide you with a written explanation and information about your rights.

7. Right to Receive a Copy of This Notice. You have the right to receive a paper copy of this Notice at any time, even if you previously agreed to receive it electronically. You may also request an electronic copy.

8. Rights Regarding Substance Use Disorder Records. If your records are protected by 42 CFR Part 2, you have additional rights regarding the confidentiality, use, and disclosure of those records. You may revoke a Part 2 consent as permitted by law. Part 2 records generally may not be used against you in civil, criminal, administrative, or legislative proceedings unless you provide specific written consent or a court order meeting the requirements of 42 CFR Part 2 is obtained.

VI. QUESTIONS OR COMPLAINTS

If you have questions about this Notice of Privacy Practices, your privacy rights, or how your health information is used or disclosed, you may contact:

Privacy Officer: Melanie Flynn, LMAC
Organization: Navigate Recovery PLLC
Phone: (601) 202-1007
Email: Recovery@recoverynavigate.com

If you believe your privacy rights under HIPAA or 42 CFR Part 2 have been violated, you may file a complaint with Navigate Recovery PLLC by contacting the Privacy Officer listed above.

You may also file a complaint with the U.S. Department of Health and Human Services, Office for Civil Rights (OCR).

Navigate Recovery PLLC will not retaliate against you or deny services because you filed a complaint.

ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF PRIVACY PRACTICES

By signing below, I acknowledge that I have received or been offered a copy of Navigate Recovery PLLC's Notice of Privacy Practices, which describes how my health information may be used and disclosed and explains my rights regarding my health information, including additional protections that may apply to substance use disorder records under 42 CFR Part 2.

My signature acknowledges receipt of this Notice and does not mean that I agree to any use or disclosure of my health information beyond what is permitted by law or separately authorized or consented to by me.

Name

Date
