

## **Tele-Therapy Health Services Informed Consent**

This informed consent adds to and does not replace the Patient Agreement you have already agreed to and signed. All those agreements also apply to tele-therapy health, including fees, billing policies, No Show/Late Cancellation policies, HIPAA requirements, and limits of confidentiality.

### **What is Tele-Therapy Health?**

“Tele-therapy health” means, in short, provision of mental health services with a mental health provider (in this case, Dr. Max) and a recipient (in this case, you) of therapeutic services being in separate locations, and the services being delivered over electronic media. Services delivered via tele-therapy health rely on a number of electronic, often Internet-based, technology tools. These tools can include video conferencing software, email, text messaging, virtual environments, specialized mobile health (“mHealth”) apps, and others. Dr. Max provides tele-therapy health services using the following tools: A HIPAA-Compliant “plug-in” to Dr. Max’s existing TherapyAppointment EHR, which is offered by secure C3Now video chat service. To use this service, you will need access to (1) a computer, tablet, or phone with Internet browser (Chrome seems to work best), (2) an Internet service (higher speeds are better), (3) and an existing Client Portal through TherapistAppointment. If you have any questions or concerns about the above tools, please address them directly to Dr. Max so you can discuss their risks, benefits, and specific application to your treatment.

### **Benefits and Risks of Tele-Therapy Health**

Possible Benefits: Receiving services via tele-therapy health allows you to: Receive services at times or in places where the service may not otherwise be available; Receive services in a fashion that may be more convenient and less prone to delays than in-person meetings; Receive services when you are unable to travel to the service provider’s office; The unique characteristics of tele-therapy health media may also help some people make improved progress on health goals that may not have been otherwise achievable without tele-therapy health.

Receiving services via tele-therapy health has the following risks: Tele-therapy health services can be impacted by technical failures; it may introduce risks to your privacy; it may reduce Dr. Max’s ability to directly intervene in crises or emergencies. Here is a non-exhaustive list of examples: Internet connections and cloud services could cease working or become too unstable to use Cloud-based service personnel, IT assistants, and malicious actors (“hackers”) may have the ability to access your private information that is transmitted or stored in the process of tele-therapy health-based service delivery. Computer or smartphone hardware can have sudden failures or run out of power, or local power services can go out. Interruptions may disrupt services at important moments, and Dr. Max may be unable to reach you quickly or using the most effective tools. Dr. Max may also be unable to help you in-person. There may be additional benefits and risks to tele-therapy health services that arise from the lack of in-person contact or presence, the distance between you and Dr. Max at the time of service, and the technological tools used to deliver services. Dr. Max will assess these potential benefits and risks, sometimes in collaboration with you, as your relationship progresses.

### **Assessing Tele-Therapy Health’s Fit For You**

Although tele-therapy is well validated by research as a viable and helpful mental health service, Dr. Max provides in-person services and actually prefers this method of delivering mental health services, believing that they are typically more effective. So, if you are reasonably able to access Dr. Max’s in-person services, you will be asked to use those services instead of tele-therapy health services. Additionally, delivery of mental health services via tele-therapy health is not necessarily a good fit for every person, and Dr. Max only provides such services as an alternative to in-person therapy for those persons with exceptional circumstances that prohibit in-person session. Dr. Max will continuously assess if working via tele-therapy health is appropriate for you. If it is not appropriate, Dr. Max will either suggest in-person sessions, help you find other in-person providers with whom you can continue services, or help you find alternative providers who provide tele-therapy health that is more conducive to your needs. Please talk to Dr. Max if you find the tele-therapy health media so difficult to use that it distracts from the services being provided, if the medium causes trouble focusing on your services, or if there are any other reasons why the tele-therapy health medium seems to be causing problems in receiving services. Raising your questions or concerns will not, by itself, result in termination of services. Bringing your concerns to Dr. Max is often a part

of the process. You also have a right to stop receiving services by tele-therapy health at any time without prejudice and will not be prevented from accessing in-person services if you choose to stop using tele-therapy health.

## **Creating a Tele-Therapy Health Environment**

You will be responsible for creating a safe and confidential space during tele-therapy health sessions. You should use a space that is away from other people, that has adequate lighting and limited noise. It should also be difficult or impossible for people outside the space to see or hear your interactions with Dr. Max during the session. It should be comfortable (like sitting in a comfortable chair) and familiar (like at your home or office). Please refrain from using your bed to lay on during the session and from wearing cloths you would not wear outside of the house. If you are unsure of how to create a safe, comfortable, and confidential space, please ask Dr. Max for assistance.

## **Communication Plans**

At the first session, Dr. Max will develop a plan for backup communications in case of technology failures and a plan for responding to emergencies and mental health crises (as outlined in the original Patient Agreement). As stated in the Patient Agreement, Dr. Max has the following policies regarding communications: The best way to contact him between sessions is by sending a message through the Client Portal or calling his phone at 303-347-8498. Dr. Max will typically respond to your messages within 24 business hours. Please note that Dr. Max may not respond at all on weekends or holidays. Dr. Max may also respond sooner than stated in this policy. That does not mean they will always respond that quickly. However, if you are in an emergency, follow the directions on the voicemail message to contact him immediately or call 911 or go to your local emergency room. Therapeutic work is done primarily during our appointed sessions, which will generally occur during business hours, Monday through Friday. Contact between sessions should be limited to confirming or changing appointment times or asking billing questions or practical issues. Dr. Max is located in the Mountain time zone. Please note the time difference from your own time zone if utilizing tele-therapy health while traveling (typically Dr. Max can legally only use tele-therapy health services in Colorado and States that have reciprocal licensing agreements with Colorado). Please note that all electronic messages you exchange with Dr. Max, e.g. emails and text messages, will become a part of your health record. Dr. Max may coordinate care with one or more of your other providers with your knowledge and permission. Dr. Max will use reasonable care to ensure that those communications are secure and that they safeguard your privacy.

## **Safety and Emergency Plans**

As a recipient of tele-therapy health-based services, you will need to participate in ensuring your safety during mental health crises, medical emergencies, and sessions that you have with Dr. Max. Dr. Max may also develop with you a plan for what to do during mental health crises and emergencies, and a plan for how to keep your space safe during tele-health sessions. It is important that you engage with Dr. Max in the creation of these plans and that you follow them when you need to.

## **Security and Privacy**

Except where otherwise noted, Dr. Max employs software and hardware tools that adhere to security best practices and applicable legal standards for the purposes of protecting your privacy and ensuring that records of your healthcare services are not lost or damaged, per HIPAA requirements. As with all aspects of tele-therapy health, however, you also have a role to play in maintaining your security. Please use reasonable security protocols to protect the privacy of your own health care information. For example, when communicating with Dr. Max, use devices and service accounts that are protected by unique passwords that only you know. Also, use the secure tools, such as your Client Portal, that Dr. Max has supplied for communications. Please do not record video or audio sessions without Dr. Max's consent. Making recordings can quickly and easily compromise your privacy and should be done so with great care. Dr. Max will write case notes on tele-therapy health sessions in the same manner as he does in-person sessions and does not record video or audio sessions, without direct written permission from you.

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**Print Name**

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**Signature**

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**Date**