

Notice of Privacy Practices

NOTICE OF PRIVACY PRACTICES REGARDING STUDENT MEDICAL RECORDS

Medical records of students maintained by Carnegie Mellon University (CMU) Counseling and Psychological Services (CaPS) are governed by the federal Family Educational Rights and Privacy Act of 1974 (**FERPA**), the Pennsylvania Mental Health Procedures Act (the **MHP Act**) and the University's [Student Privacy Rights Policy](#).

Under **FERPA**, student medical records are referred to as “treatment records,” which are records that (i) are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity; (ii) are made, maintained or used only in connection with the treatment of the student; and (iii) may be disclosed to individuals providing treatment. Under limited circumstances, treatment records may be converted to “education records,” which are also governed by FERPA. [SC1]

Under the **MHP Act**, the term “medical records” refers to records that include, but are not limited to, all written clinical information, observations and reports or fiscal documents, relating to a prospective, present or past, client or patient, which are required or authorized to be prepared by the MHP Act or by the PA Mental Health and Mental Retardation Act of 1966. Treatment records and education records under FERPA that are related to your treatment by CaPS are included within the definition of “medical records” under the MHP Act.

For purposes of this Notice of Privacy Practices, “treatment records,” “medical records” and “education records” related to your treatment by CaPS are collectively referred to herein as “student medical records.”

What does your “Consent to Treatment” mean?

“Consent to Treatment” is the process of communication between you and CaPS that leads to an informed agreement or permission for care, treatment or services. Your consent to treatment establishes:

- The right for the CaPS staff to seek supervision and/or professional consultation within CaPS to aid us in our work with you;
- The understanding that we may also share limited information with members of CMU’s University Health Services where necessary to coordinate your medical care and treatment; and
- The right to use or disclose your student medical records for Treatment, Payment and Health Care Operations purposes, as such terms are defined below:

“Treatment” is when CaPS provides, coordinates or manages your mental health care and other services related to your mental health. In addition to therapy and psychiatric services, an example of treatment would be when we consult with another CaPS provider.

“Payment” is when we obtain reimbursement for services. Examples of payment are when we disclose student medical records to CMU’s Student Health Insurance provider to obtain reimbursement for your health care or to determine eligibility or coverage. Additionally, when billing student accounts, name, date of service and fee are provided to add that to your account. Please know that this, on the student account, is simply labeled as “Student Health Service.”

“Health Care Operations” are activities that relate to the performance and operation of our practice. Examples of health care operations are quality assessment and improvement activities, business-related matters such as audits and administrative services, and case management and care coordination.

May CaPS use or disclose your student medical information for purposes outside of the Consent to Treatment?

We may request to use or disclose your student medical records for purposes outside of your Consent to Treatment. In such circumstances, we must obtain your authorization, which is written permission by you – often called a “Release of Information” – that permits only specific disclosures otherwise not covered by your Consent to Treatment.

You may revoke all such authorizations at any time, provided each revocation is in writing. That revocation would not be effective with respect to actions we took in reliance on a valid authorization, or where the authorization was obtained as a condition of obtaining insurance coverage and other law provides the insurer with the right to contest a claim under the policy or the policy itself.

Are there circumstances in which your student medical records may be disclosed without your authorization?

Under **FERPA**, student medical records may be disclosed without a student’s authorization:

- To health care professionals who are providing treatment to the student, including health care professionals who are not part of or not acting on behalf of CMU (e.g. a third-party health care provider), as long as they are disclosed for the purpose of treatment.
- To a third-party health care provider when the student has requested that their records be reviewed by a physician or other appropriate professional of the student’s choice.
- When the records are converted to education records and disclosed under the FERPA exceptions applicable to education records. [SC2] Exceptions permitting the disclosure of education records without consent are set forth in the University’s [Student Privacy Rights Policy](#).

The **MHP Act** also provides circumstances under which student medical records maintained by CaPS may be disclosed without the authorization of the student, such as:

- In response to an emergency medical situation when release of information is necessary to prevent serious risk of bodily harm or death. Only specific information pertinent to the relief of the emergency may be released on a non consensual basis.
- To parents or guardians and others when necessary to obtain consent to medical treatment.[SC3]
- To appropriate PA Department of Human Services personnel relating to mandatory reporting of suspected child or patient abuse.
- In response to a court order.
- The County Mental Health administrator, under their duties under applicable statutes and regulations.

Reservation of Right to Change Privacy Policies

We reserve the right to change the privacy policies and practices described in this notice.

Questions and Complaints

If you have questions about this notice, disagree with a decision we make about access to your records, or have other concerns about your privacy rights, you may contact the Associate Director for Clinical Services at CaPS at 412-268-2922.

If you believe that your privacy rights have been violated and wish to file a complaint with our office, you may send your written complaint to the CaPS Executive Director at 412-268-2922.

Effective Date, Restrictions and Changes to Privacy Policy

This notice was published and becomes effective on March 10, 2025.

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You may obtain a paper copy of this notice on the CaPS website, or by requesting one at the time of your appointments.