NOTICE OF PRIVACY PRACTICES

Kind Waters Therapy & Wellness | Practice-wide patient notice | Effective date: November 2026

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

You have the right to receive a paper or electronic copy of this notice and to discuss it with our Privacy Officer. Privacy Officer: Marcus Manning , marcus@kindwaterstherapy.com

Mailing address: 305 North Fifth Avenue, Suite 360, Minneapolis, MN 55401

Who this notice covers

This notice describes the privacy practices of Kind Waters Therapy & Wellness ("Kind Waters," "we," or "our"), including clinicians, staff, and other persons working on its behalf who are subject to our privacy policies. It applies to health information created or maintained in connection with our outpatient psychotherapy, couples and family therapy, telehealth, psychiatric medication-management, school-based services, and other applicable services. Participating independent-contractor clinicians follow applicable privacy requirements when providing services through Kind Waters. A clinician operating a separate practice may have a separate notice for services outside Kind Waters.

Your rights

Access and copies

You may inspect or request a paper or electronic copy of health records we maintain about you, subject to limited legal exceptions (including certain separately maintained psychotherapy notes). Under Minnesota law, we generally provide requested records within 30 calendar days after receiving a written request; HIPAA also establishes access deadlines and limited extension rules. We may charge only fees permitted by applicable law. Minnesota law prohibits charging for copies requested to review your current medical care. Other requests may be subject to applicable limits and lower HIPAA fee restrictions. Contact our Privacy Officer to request records or learn about any applicable fee.

Request corrections

You may ask us to amend information you believe is inaccurate or incomplete. We may deny a request in circumstances allowed by law and will explain the denial and available options in writing, generally within 60 days under HIPAA.

Confidential communications and restrictions

You may request that we contact you at a particular telephone number, address, or by another reasonable method. We will accommodate reasonable requests. You may ask us to restrict certain uses or disclosures; we are not always required to agree. If you pay in full out of pocket for a service and ask us not to disclose that service to your health plan for payment or health care operations, we will honor the request unless disclosure is required by law.

Accounting, notice, representatives, and complaints

You may request an accounting of certain disclosures, generally for the six years before your request, with exceptions under HIPAA. You may obtain a paper copy of this notice at any time. A legally authorized personal representative may exercise rights on your behalf, subject to applicable law and safeguards. You may complain to our Privacy Officer or the U.S. Department of Health and Human Services Office for Civil Rights (OCR). We will not retaliate against you for filing a complaint. OCR complaints: https://www.hhs.gov/ocr/complaints/index.html.

Your choices and authorizations

Where permitted by law, you may tell us your preferences about sharing information with family, friends, caregivers, or others involved in your care or payment for care. We ordinarily seek your agreement when feasible. In emergencies or when you cannot communicate, limited disclosures may be made if authorized by law and in your best interest. We do not sell your health information or use it for marketing that requires authorization without your written authorization. Fundraising communications, if undertaken, will include a clear way to opt out. We do not operate a hospital directory.

We do not use or disclose protected health information for purposes prohibited by applicable HIPAA regulations. Certain uses or disclosures may require a special attestation under federal law; when required, we will obtain it before disclosing information.

We will obtain written authorization when required for uses or disclosures not otherwise permitted by applicable law, including most uses or disclosures of separately maintained psychotherapy notes, most marketing uses, and sales of protected health information. You may revoke an authorization in writing, except to the extent we have already acted in reliance on it. Authorizations will state their scope and expiration as required by law.

Website activity is addressed by our separate Website Privacy Policy at https://kindwaterstherapy.com/privacy-policy-2/. This notice governs protected health information in our healthcare services, including information received through designated clinical intake and electronic record systems. You may request reasonable alternative confidential communications; use of the client portal is not required to exercise your privacy rights.

How we use and disclose information

Treatment and care coordination

We use health information to provide and coordinate your care. For example, your treating clinician may review intake information and consult an authorized member of your care team about your treatment plan. Kind Waters uses an electronic health record system to support prospective-client inquiries, scheduling, intake forms, electronic health records, secure portal communications, and telehealth. Disclosures to outside providers and organizations are subject to Minnesota consent requirements and applicable exceptions; we obtain signed, dated consent when required even if HIPAA otherwise permits disclosure.

Payment and practice operations

We use information for payment and practice operations. For example, with appropriate legal authority, we may submit information needed to process an insurance claim (payment), and we may review records internally to evaluate documentation quality and improve care (health care

operations). Other activities include benefits verification, billing, supervision, audits, compliance, and administration. Disclosures to insurers or outside parties are subject to Minnesota and federal law. We may engage electronic health record, telehealth, billing, payment, and other service providers under applicable safeguards and business associate agreements.

Minnesota notice of disclosures without consent

Other disclosures permitted or required by law

Minnesota generally requires signed, dated patient consent to release health records unless a specific legal exception applies. Depending on the circumstances, the types of information disclosed without written consent may include relevant clinical findings, treatment information, medication information, or other records necessary for the legally authorized purpose. Potential recipients include: public health agencies for legally required reporting; child protection or adult protection authorities for mandated maltreatment reports; emergency responders or treating personnel when a lawful emergency exception applies; health oversight agencies for authorized oversight; courts or other parties when a valid court order or other legal authority permits disclosure; and other government officials when a specific law authorizes or requires disclosure. Other potentially permitted categories include serious threats to safety, certain workers' compensation matters, legally authorized research, law enforcement, coroners or medical examiners, and other legally defined circumstances. Not every category permits disclosure of all mental health records, and some require consent or special procedures. A subpoena alone does not necessarily authorize release of Minnesota mental health records or Part 2 records. We evaluate the applicable law, recipient, record type, and required process before releasing information.

Minors, couples, families, and school-based services

Privacy and access rights involving minors and parents or guardians depend on the minor's age, legal authority, type of care, and applicable Minnesota law. For couples or family services, we explain the recordkeeping and information-sharing arrangement in the service-specific consent. For school-based services, information-sharing with schools, parents, or other providers is governed by applicable consent and confidentiality laws, including FERPA where relevant. This notice does not itself authorize disclosure to a school.

Information disclosed as HIPAA permits may be redisclosed by the recipient and may no longer be protected by HIPAA, unless other applicable law (including Minnesota law or Part 2) continues to restrict that information.

Special protections for psychotherapy notes and substance use disorder records

Psychotherapy notes

Psychotherapy notes, as specifically defined by HIPAA and maintained separately from the medical record, receive additional protection. We generally obtain a separate written authorization before using or disclosing them, except for narrow circumstances permitted by law. Ordinary progress notes and treatment records are not automatically "psychotherapy notes" under HIPAA.

42 CFR Part 2 records

Kind Waters Therapy & Wellness is not a substance use disorder treatment program governed as a Part 2 program under 42 CFR Part 2. A reference to alcohol or substance use in an ordinary psychotherapy record does not, by itself, make that record a Part 2 record. However, Kind Waters

may receive records from an outside program that are protected under Part 2. We handle those records in accordance with applicable federal and Minnesota law.

When we receive Part 2-protected records, permitted uses and redisclosures depend on the source of the records, the patient's consent, the purpose of disclosure, and applicable law. Certain records received under a valid consent for treatment, payment, and health care operations may be used or redisclosed as HIPAA permits, subject to Minnesota law. Part 2 records and testimony about them generally cannot be used or disclosed in civil, criminal, administrative, or legislative proceedings against the patient without the patient's specific consent or an appropriate Part 2 court order and required legal process.

Our responsibilities

- We must maintain the privacy and security of protected health information, comply with applicable law, and provide this notice of our legal duties and privacy practices.
- We must notify affected individuals of breaches of unsecured protected health information when required by HIPAA and, where applicable, Part 2 and Minnesota law.
- We will not use or share information other than as described in this notice unless you authorize it or the law permits or requires it.
- We are required to follow the privacy practices described in the notice currently in effect. We reserve the right to revise this notice and make the revised terms effective for health information we already maintain and information received in the future, as allowed by law. The current notice will be posted prominently on our website, available upon request, and displayed or available at our physical service location as required.

Questions and complaints

Kind Waters Privacy Officer: Marcus Manning, marcus@kindwaterstherapy.com | 305 North Fifth Avenue, Suite 360, Minneapolis, MN 55401.

You may also submit a complaint to HHS OCR at https://www.hhs.gov/ocr/complaints/index.html. There will be no retaliation for raising a concern or filing a complaint.

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