

## NOTICE OF PRIVACY PRACTICES

### **This Notice is for Texas A&M University students who receive health services at University Health Services.**

This notice describes how medical and counseling information about you may be used and disclosed and how you may access this information. Please review it carefully.

Texas A&M University Health Services (UHS) reserves the right to change the terms of this Notice at any time. The changes will be effective immediately and will apply to all student treatment records that we maintain. Any material changes to the Notice will be promptly posted in our facilities and posted to the University Health Services web site.

UHS collects and processes your personal information while providing you healthcare services and treatment. UHS processes this information in accordance with FERPA and takes extensive effort to safeguard your PII (Personally Identifiable Information). You are afforded rights under FERPA regarding how your personal information is processed and shared.

### **FERPA and the difference between education and treatment records**

FERPA stands for Family Educational Rights and Privacy Act. FERPA applies to eligible students' personal information and is classified as either education records or treatment records. Education records are defined broadly as directly related to the student and maintained by an education institution or by a party acting for the institution. Examples of an education record are transcripts, grade reports, and documentation featuring a student's information. **Conversely, treatment records are defined as records on an eligible student who is eighteen years of age or older, or is attending a postsecondary institution, which are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their professional or paraprofessional capacity, or assisting in that capacity, and which are made, maintained, or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional.**

### **How Texas A&M University complies with FERPA**

The university's FERPA policy can be found and reviewed here: [16.01.02.M1 FERPA Compliance](#)

### **How FERPA applies to me**

Under FERPA, student health records maintained by Texas A&M University Health Services are classified as either treatment records or education records. In most cases, your records at Texas A&M University Health Services will be **treatment records**.

### **How my treatment records are used and who can access them**

Texas A&M University Health Services uses your treatment records to provide you with healthcare services, mental healthcare services, and treatment. Accordingly, any person at UHS who provides you with treatment or is involved with your care can access your treatment record. **In the event that your care requires treatment from other healthcare providers outside of University Health Services we will generally require your written consent before we share your information unless otherwise allowed by law.**

For these situations, UHS will obtain your written consent by having you fill out a Records Release form. You may review this form here: [medical-records-release-form.pdf](#)

## **What circumstances my treatment record would be considered an education record at UHS**

Any circumstance in which the record is **not made, maintained, or used solely for the treatment of a student**. In other words, the disclosure of an eligible student's treatment records for purposes other than treatment would transform the treatment records into education records.

For example, your billing record is not solely made, maintained, or used for your treatment at UHS and therefore is considered an education record. Any disclosure of "education records" requires prior written consent of the student or must satisfy one of the exceptions to FERPA's general consent requirement.

## **Who University Health Services can share my treatment records with**

Generally, Texas A&M University Health Services will only share your treatment records with individuals you give us written consent in cases other than for treatment. However, for the following circumstances, as permitted by FERPA regulations, we may disclose your health and mental health records without your written consent:

- To comply with a judicial order or lawful subpoena
- Disclosure to the court in connection with legal proceedings involving Texas A&M University and you or your parents/guardians
- Disclosure in connection with a health or safety emergency if knowledge of the information is necessary to protect the health and safety of you or other persons.

## **HIPAA and why it does not apply to me**

HIPAA stands for the Health Insurance Portability and Accountability Act and safeguards the privacy of personal information contained within health records. Because you are a student, HIPAA does not apply to your records at University Health Services. Instead, FERPA applies to your records and are designated as either treatment records or education records.

## **Accessing my treatment record**

Portions of your record can be accessed through the UHS Clinical Management System. The following items are available through the portal to view or print out:

- Immunization records
- Labs that have been reviewed
- Provider-written letters

For details and content that is not available on the portal, please complete a Records Release form at <https://uhs.tamu.edu/medical/medical-records.html>

## **Receiving a copy of this notice**

You have the right to a paper copy of this notice, even if you have agreed to accept this notice electronically.

## **Who I can contact regarding my treatment record**

Please contact University Health Services directly at (979) 458-4584 or by email at [uhsinfo@tamu.edu](mailto:uhsinfo@tamu.edu).

## **Who I can contact regarding privacy concerns or questions**

If you have any privacy concerns or questions, please contact the Privacy Office at our toll-free number (833) 261-1247 or by email at [privacy@tamu.edu](mailto:privacy@tamu.edu).