

Consent for Lactation Consultation

with Nancy Hinesly MSN, APRN, IBCLC

I understand that a lactation consultation may involve:

- touching my breasts and/or nipples for the purposes of assessment and assistance;
- inserting gloved fingers into my baby's mouth to assess oral structure and function;
- observation of a breastfeed and/or milk expression session;
- demonstration of the use of equipment that may be recommended;
- education/demonstration of techniques intended to aid breastfeeding/lactation; and,
- referral to other health care providers as needed.

I give my consent for the lactation consultant to contact my baby's and my primary health care provider(s) with a report of our consultation, as the ethics of her profession require, and to consult with them in any way she deems appropriate. I agree that she may discuss my case with my breastfeeding support group leader and/or other IBCLC lactation consultants in the Nashville Birth And Babies network.

I give my consent for the lactation consultant to release pertinent information to my insurance company, and/or a billing or placement agency, as necessary.

I give my consent for the lactation consultant to use clinical information obtained during our sessions for the education of other health care providers and mothers about lactation. I won't be identified in any way, but aspects of my situation might be described and discussed.

I understand that total payment is expected at the conclusion of the consultation. I will receive paperwork to submit to my insurance company for consideration of reimbursement.

I understand that for this lactation consultation and all follow-up, the lactation consultant will protect the privacy of my personal health information as required by the Code of Ethics of the International Board of Lactation Consultant Examiners, the Standards of Practice of the International Lactation Consultant Association, and the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

I understand that, for any services rendered at my home, my address may be put into GPS by the consultant to facilitate navigation to the destination. To ensure consultant safety, a business associate may have access to my address information.

I understand that text/SMS/iMessage communication with the lactation consultant is not a form of protected communication and that email or messaging through the patient portal is preferred. I understand that I can reach the lactation consultant by calling the business phone number 855-905-2229 x3.

I understand that the use of FaceTime or Skype are not secure ways to do virtual consultations. During COVID19, virtual consultations will be performed with a HIPAA-compliant unless that platform is not available or malfunctions whereupon FaceTime or Skype will be acceptable alternatives (HHS.gov, 3/15/2020).

I have read (below/reverse side) the Notice of Privacy Practices of the lactation consultant.

Patient Signature

Date

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.

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a federal law designed to protect your privacy whenever your health care providers (like the lactation consultant (LC)) have to discuss your case, or send information about you to different offices. We have to keep a file to record our consult – but we promise that the private, protected health information in it will be kept confidential.

The LC can freely share all the details of your personal health information for purposes of “treatment, payment and health care operations.” That means the LC can talk to you about your situation, and discuss it with your other health care providers. If you are referred to other specialists, the LC can send the information on to them. The LC can also share information with your health insurance company if they need it.

The law also requires the LC to share your information under other, very precise situations: for example, if a subpoena has been served on this office, to turn over medical records ... or a federal agency is investigating a complaint that we have not been protecting your privacy.

Any other time the LC shares your personal health information, it has to be with your specific authorization: you have to okay it, in writing, first. For example, you may want us to send information about your consultation to the Human Resources Dept. at your office, so they can pay you back under their corporation lactation support program. When you do give us permission to turn over information about you, we can give out only the minimum amount of information needed to get the job done.

Under HIPAA, the LC can call or write to you to remind you to come back for an appointment or to tell you how you can get a product or service that might interest you and your family.

You have four rights under HIPAA:

- (1) Access (you can ask the lactation consultant to see all the PHI she has about you);
- (2) Amendment (you can ask the lactation consultant to change her files to amend inaccurate PHI);
- (3) Disclosure Accounting (you can ask to whom the lactation consultant has given your PHI) and
- (4) Restriction Request (you can put limits on the lactation consultant’s use and sharing of your PHI).

Our duty under to HIPAA is to give you this notice, so you understand we have promised to keep your private health information confidential. If we change this notice in the future, we’ll give you a new copy. The Privacy Officer is the IBCLC Lactation Consultant from whom you received care, available by calling 855-905-2229 x3. This is the person who can answer your questions or concerns about how we protect your privacy.

You can complain if you think your privacy hasn’t been protected by the lactation consultant. First, you’d have to bring your complaint to the Privacy Officer, who has a duty to try to patch things up. We can’t penalize you for making a complaint. If the Privacy Officer doesn’t address your complaint adequately, you can go over that person’s head to the Office of Civil Rights of the federal Health and Human Services Dept., to ask that a formal investigation be made. You can get all the details from them by calling (toll free) 1-800-368-1019; or, see their website at <www.hhs.gov/ocr/privacyhowtofile.htm>. You can’t go to court and sue us over a HIPAA violation -- but you can ask HHS to investigate.

