

## **FREQUENTLY ASKED QUESTIONS (FAQ)**

### **Behavioral Health and Well-being**

**Behavioral health concierge:** Providers employed by Providence have access to the Behavioral Health Concierge. From the safety and comfort of your own home, or wherever you choose to reach out for help, this confidential program is available from 7am to 8pm Pacific time, with same day and next day appointments available. Call 833-724-9355 to schedule an appointment.

**1. Will I be at the risk of losing my license if I disclose a substance abuse or behavioral health concern to a provider? Will there need to be reporting to the national practitioner database about my behavioral health issue(s)?**

What you discuss with your personal physician, therapist or other provider is protected under federal, as well as many state, privacy laws (like the federal HIPAA Privacy Rule) and may not be discussed with others in most cases. Care related to any substance use disorder is protected by 42 CFR Part 2's general rule, which restricts providers from disclosing information in a substance use disorder (SUD) patient's record, unless the provider obtains consent that authorizes the disclosure or another exception applies. These privacy laws contain limited exceptions to the confidentiality of a patient's healthcare information, including instances where a patient poses a serious and imminent threat to their own or someone else's health or safety, or another exception that requires disclosure.

**2. When I seek care for behavioral health, is this charted in my electronic health record (e.g., logged in the healthcare organization's Epic MyChart)?**

It depends on where the care is provided and the type of provider delivering the care. The privacy laws apply uniformly to all protected health information. Under HIPAA, additional protections are available for psychotherapy notes.

**3. If I engage in mental health and other well-being resources online (e.g., using the Providence caregiver well-being resources), is that recorded in my electronic health record?**

No, utilizing virtual resources (including cognitive behavioral therapy services) are not charted. Different details may apply if you seek care using a tele-health behavioral health visit, which can be discussed with your therapist or other provider.

**4. If I need to go on leave for clinical depression, anxiety or substance abuse, will Swedish consider this to be an approved leave for short-term or long-term disability?**

Medical leave should be taken when a serious health condition, including when needing to receive inpatient treatment for behavioral health or substance abuse, is required. Behavioral health needs not necessarily requiring inpatient treatment, including an anxiety attack, major depression or other mental health event, may qualify as a serious health condition under the FMLA. Please contact your local Human Resources department if you have a need for leave.

**5. Will I need to go on a leave of absence or apply for disability benefits if I disclose a behavioral health issue to my behavioral health provider?**

Whether you need to take a leave of absence to address any behavioral health issue is a conversation you should have with your treatment provider. If you determine you need a leave of absence, you should file a request for a leave with your employer.

**6. I'm drinking too much and want to seek help. If I seek help, will my provider need to notify:**

- a. My employer or Human Resources department?** Conversations between you and your behavioral health provider are protected by several federal and state privacy laws. Medical Staff Offices may need to disclose to your employer if your privileges are restricted or suspended but practitioners may seek a leave of absence from the Medical Staff to deal with a variety of health issues. Such leaves are not generally reportable unless you are already under investigation.
- b. Will my patients need to know?** No, your patients do not get notified of what you may discuss with your provider. There is one exception: your provider does need to notify others if they determine you are a potential harm to yourself or others. In that case, the provider must notify those "others." Conversations between you and your behavioral health provider are protected by various privacy laws. Patients or the public may know if your license is restricted, suspended or revoked, depending on what needs to be disclosed to the state or other governing body (see question #1).

**7. I'm feeling depressed and looking for a therapist. Will this impact my licensing or standing with the medical staff?**

If you are feeling depressed, please reach out for help. Many others are struggling with this, too. Seeking help for depression or anxiety is not something that needs to be disclosed to your Medical Staff Office or any other party.

**Disclaimer:** These FAQs are intended to provide practical advice for our Medical Staff members, but does not include all details of applicable law nor provide legal advice.