

## Telehealth Services Informed Consent

### Overview:

- You will need access to the certain technological services and tools to engage in telehealth-based services with Justin Der.
- Telehealth has both benefits and risks, which you and Justin Der will be monitoring as you proceed with your work.
- It is possible that receiving services by telehealth will turn out to be inappropriate for you, and that you and Justin Der may have to cease work by telehealth.
- You can stop work by telehealth at any time without prejudice.
- You will need to participate in creating an appropriate space for your telehealth sessions.
- You will need to participate in making a plan for managing technology failures, mental health crises, and medical emergencies.

### What is Telehealth?

“Telehealth,” including “telehealth” means the delivery of healthcare services or consultations while the patient is at an originating site and the health care provider is at a distant site. Telehealth shall be provided by means of real-time two-way interactive audio, visual, or audiovisual communications, including the application of secure video conferencing or store-and-forward technology to provide or support health-care delivery, that facilitate the assessment, diagnosis, consultation, treatment, education and care management of a patient’s healthcare.”  
*K.S.A.2017 Supp. 40-2,103 and 40-19c09.*

Services delivered via telehealth rely on a number of electronic, often Internet-based, technology tools. These tools can include videoconferencing software, email, text messaging, virtual environments, specialized mobile health(“mHealth”) apps, and others.

- You will need access to Internet service and technological tools needed to use the above-listed tools in order to engage in telehealth work with Justin Der.
- If you have any questions or concerns about the above tools, please address them directly to Justin Der so you can discuss their risks, benefits, and specific application to your treatment.

### Benefits and Risks of Telehealth:

#### Receiving services via telehealth allows you to:

- Receive services at times or in places where the service may not otherwise be available.
- Receive services in a fashion that may be more convenient and less prone to delays than in-person meetings.
- Receive services when you are unable to travel to the service provider’s office.
- The unique characteristics of telehealth media may also help some people make improved progress on health goals that may not have been otherwise achievable without telehealth.

#### Receiving services via telehealth has the following risks:

Telehealth services can be impacted by technical failures, may introduce risks to your privacy, and may reduce your service provider’s ability to directly intervene in crises or emergencies. Here is a non-exhaustive list of examples:

- Internet connections and cloud services could cease working or become too unstable to use.
- Cloud-based service personnel, IT assistants, and malicious actors (“hackers”) may have the ability to access your private information that is transmitted or stored in the process of telehealth-based service delivery.
- Computer or smartphone hardware can have sudden failures or run out of power, or local power services can go out.

Interruptions may disrupt services at important moments, and Justin Der may be unable to reach you quickly or use the most effective tools. Justin Der may also be unable to help you in-person.

There may be additional benefits and risks to telehealth services that arise from the lack of in-person contact or

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presence, the distance between you and Justin Der at the time of service, and the technological tools used to deliver services. Justin Der will assess these potential benefits and risks, sometimes in collaboration with you, as your relationship progresses.

### **Assessing Telehealth's Fit For You:**

Although it is well validated by research, service delivery via telehealth is not a good fit for every person. Justin Der will continuously assess if working via telehealth is appropriate for your case. If it is not appropriate, Justin Der will help you find in-person providers with whom to continue services.

Please talk to Justin Der if you find the telehealth media so difficult to use that it distracts from the services being provided, if the medium causes trouble focusing on your services, or if there are any other reasons why the telehealth medium seems to be causing problems in receiving services. Raising your questions or concerns will not, by itself, result in termination of services. Bringing your concerns to Justin Der is often a part of the process.

You also have a right to stop receiving services by telehealth at any time without prejudice. If Justin Der also provides services in-person and you are reasonably able to access the provider's in-person services, you will not be prevented from accessing those services if you choose to stop using telehealth.

### **Your Telehealth Environment:**

You will be responsible for creating a safe and confidential space during sessions. You should use a space that is free of other people. It should also be difficult or impossible for people outside the space to see or hear your interactions with Justin Der during the session. If you are unsure of how to do this, please ask Justin Der for assistance.

### **Our Communication Plan:**

At our first session, we will develop a plan for backup communications in case of technology failures and a plan for responding to emergencies and mental health crises. In addition to those plans, Justin Der has the following policies regarding communications:

- The best way to contact Justin Der between sessions is by email at [jder2959@gmail.com](mailto:jder2959@gmail.com) or phone at 913-214-2814. Please do not include any protected health information via email. Justin Der will respond to your messages within 48 business hours. Please note that Justin Der may not respond at all on weekends or holidays. Justin Der may also respond sooner than stated in this policy.
- That does not mean he will always respond that quickly.

Our work is done primarily during our appointed sessions. Contact between sessions should be limited to:

- Confirming or changing appointment times
- Billing questions or issues
- Non-emergent clinical questions/concerns.

Justin Der is located in the Central time zone. Please note the time difference from your own time zone. Patients located in Sherman, Greeley, Wallace, and Hamilton Counties in Kansas are on Mountain Time and are an hour behind.

Please note that all textual messages you exchange with Justin Der, e.g. emails and text messages, can become a part of your health record.

Justin Der may coordinate care with one or more of your other providers. Justin Der will use reasonable care to ensure that those communications are secure and that they safeguard your privacy.

### **Our Safety and Emergency Plan:**

As a recipient of telehealth-based services, you will need to participate in ensuring your safety during mental health crises, medical emergencies, and sessions that you have with Justin Der.

**Justin Der M.A., M. Div., LPC**

Justin Der will require you to designate an emergency contact. You will need to provide permission for Justin Der to communicate with this person about your care during emergencies.

Justin Der will also develop with you a plan for what to do during mental health crises and emergencies, and a plan for how to keep your space safe during sessions. It is important that you engage with Justin Der in the creation of these plans and that you follow them when you need to.

**Recordings:**

Please do not record video or audio sessions without Justin Der’s consent. Making recordings can quickly and easily compromise your privacy and should be done so with great care. Justin Der will not record video or audio sessions.

Acknowledgement:

I \_\_\_\_\_ hereby consent to engage in telehealth (e.g., internet or telephone-based therapy) with Justin Der the main venue for my psychotherapy treatment. I understand that telehealth includes the practice of health care delivery, including mental health care delivery, diagnosis, consultation, treatment, transfer of medical data, and education using interactive audio, video, and/or data communications. I understand that telehealth also involves the communication of my medical/mental health information, both orally and visually, to other health care practitioners.

I understand that I have the following rights with respect to telehealth:

(1) I have the right to withhold or withdraw consent at any time without affecting my right to future care or treatment nor risking the loss or withdrawal of any program benefits to which I would otherwise be entitled. Initial \_\_\_\_\_

(2) The laws that protect the confidentiality of my medical information also apply to telehealth. As such, I understand that the information disclosed by me during the course of my therapy is generally confidential. However, there are both mandatory and permissive exceptions to confidentiality including, but not limited to: reporting child, elder, and dependent adult abuse; expressed threats of violence towards an ascertainable victim; and where I make my mental or emotional state an issue in a legal proceeding. Initial \_\_\_\_\_

I also understand that the dissemination of any personally identifiable images or information from the telehealth interaction to researchers or other entities shall not occur without my written consent. Initial \_\_\_\_\_

(3) I understand that there are risks and consequences from telehealth. These may include, but are not limited to, the possibility, despite reasonable efforts on the part of my psychotherapist, that: the transmission of my medical information could be disrupted or distorted by technical failures; the transmission of my medical information could be interrupted by unauthorized persons; the electronic storage of my medical information could be accessed by unauthorized persons and/or misunderstandings can more easily occur, especially when care is delivered in an asynchronous manner. Initial \_\_\_\_\_

In addition, I understand that telehealth-based services and care may not yield the same results nor be as complete as face-to-face service. I also understand that if my psychotherapist believes I would be better served by another form of psychotherapeutic service (e.g. face-to-face service), I will be referred to a psychotherapist in my area who can provide such service. Finally, I understand that there are potential risks and benefits associated with any form of psychotherapy, and that despite my efforts and the efforts of my psychotherapist, my condition may not improve and in some cases may even get worse. Initial \_\_\_\_\_

(4) I understand that I may benefit from telehealth, but results cannot be guaranteed or assured. The benefits of telehealth may include but are not limited to: finding a greater ability to express thoughts and emotions; transportation and travel difficulties are avoided; time constraints are minimized; and there may be a greater opportunity to prepare in advance for therapy sessions. Initial \_\_\_\_\_

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Patient Signature Date

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