

Gulf Coast Psychotherapy, LLC  
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### SMS (texting) Compliance Policy

Text messaging has become a staple of modern communication, even within healthcare settings. We recognize the importance of timely, and convenient communication, and we will be offering text messaging as an option between our clients, administrative staff, and therapists. **This is absolutely on a voluntary basis. One can opt in or opt out at any time. In the event of an emergency, texting should never be used as a first line of communication. In the event of an emergency, phone our office at 941-219-3111. If it is outside of regular office hours, please choose the emergency option on the recorded phone greeting and phone your therapist's emergency number or dial 911.**

**Communication via text will be governed by HIPPA guidelines. We will never include full client names, diagnosis or other detailed identifiable information via text unless it is to secure the safety of the client and or others.**

We regularly undergo independent verification of our security controls to protect our customers' data and communications and to meet regulatory and compliance needs. We also review all policies with all staff on an ongoing basis.

#### Infrastructure security:

Our service provider (Ring Central) offers the following infrastructure safeguards:

- Network and applications: firewalls and session border controllers
- Administrative functions: multiple authentication levels
- Technology: intrusion-detection systems and fraud analytics
- Operational functions: monitoring, system hardening, and vulnerability scans.

Clients are responsible to take steps to safeguard their devices including the use of malware, spyware, and virus protection. Clients are also advised to change passwords frequently, log out of devices and apps when messaging has concluded, not share passwords with anyone. This is not a complete list of steps that clients can take, nor does it suggest that taking these steps will prevent a breach of privacy. Clients are responsible to take every measure to secure their devices and data. Clients are also responsible for providing Gulf Coast Psychotherapy with accurate and updated telephone numbers to be used in SMS communication.

**SMS communication will not serve as a means of conducting therapy sessions or addressing complex issues. Should a client need extensive and in-depth communication, a session will be scheduled to address the client need. Should a client be at imminent risk to themselves or others, the staff or therapist will do what is necessary to secure safety including engaging assistance from law enforcement, emergency medical response services, contacting family or contacting emergency contact person.**

An “Authorized User” refers to an employee or independent contractor who has received training in the use and compliance of our SMS texting system. Authorized Users may only access or utilize the SMS system for the purpose of communicating with clients of Gulf Coast Psychotherapy, LLC, or for correspondence with a third party that has written consent from the client or legal guardian.

Relevant SMS communications will be documented in the client’s medical record and will be safeguarded in accordance with HIPAA and other applicable state and federal privacy laws. Information stored may include, but is not limited to, the client's phone number, cell phone provider, date and time of communication, client name, and any details transmitted during SMS exchanges.

Users must limit any request, use, or disclosure of protected health information (PHI) to the minimum necessary to achieve the communication's purpose. Information exchanged will be utilized for purposes including scheduling, billing, payment, resource information, brief non-emergency communications to address client needs, clarification of information, and any other reasonable communication to ensure optimal client care. phone numbers (personal information) collected for SMS consent will not be shared with third parties or affiliates for marketing purposes.

All employees and independent contractors agree and commit to reporting to the office manager and clinical director any suspected non-compliance to the privacy and security of client information as outlined in this policy. All reports will be brought to the attention of the office manager and clinical director. All reports will be kept confidential to the extent reasonably possible. The office manager and clinical director will promptly investigate any complaint or report that an authorized user failed to comply with any applicable law, rule or requirement for access or use of the SMS system. The practice holds individuals and entities responsible for violations of the policies or illegal acts. The practice will conduct all investigations in a manner that protects the rights of those who may be the subject of allegations of wrongdoing as well as those who, in good faith, make such allegations.

Any authorized user found to have negated that compliance policy will be required to attend a re-training of this policy. Should an authorized user continue to be non-compliant to this policy, disciplinary action will be taken which can include termination of contract or employment.