

BENJAMIN D. GARBER, PH.D.

PRACTICE IN CLINICAL CHILD, CONSULTING AND FORENSIC PSYCHOLOGY

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Frequently Asked Questions and Informed Consent To Engage in Psychological Services

It is your right and responsibility to know everything relevant to the psychological services in which you are engaged. This document is intended to describe some of the broad directions and limitations of my practice of psychology. I strongly encourage you to ask for clarification, further description and/or for other helpful resources at any time.

Please be aware that New Hampshire has recommended a Patient's Bill of Mental Health Rights. Learn more about your rights under this state law at <http://www.healthyparent.com/Rights.html>.

Please print and sign this document and bring it with you to your first appointment with Dr. Garber

1. What is a psychologist?

A *psychologist* is a mental health professional trained to apply an understanding of human behavior, emotion, growth and relationships to create change. As a psychologist Dr. Garber is not a physician, does not prescribe medication and will not examine your body.

A *psychiatrist*, by contrast, is a physician who is prepared to recommend how certain medications and medical procedures might influence behavior, emotion and relationships. Mental health services may also be available from clergy, school counselors, Employee Assistance Providers at work and master's level clinicians, including MSW (social work) graduates. The quality of mental health care you receive can not be differentiated based on the provider's education or the letters after his or her name.

In seeking mental health services, seek referrals from people you trust to professionals who are trusted, take the time to interview a prospective provider and be certain that you feel safe and comfortable at all times.

2. What is the nature of the service?

Dr. Garber is available to provide several distinct psychological services. It will be important to clarify which of these you are seeking from the time of your first call:

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a) Psychotherapy. Psychotherapy (also referred to as “therapy” or “counseling”) is a goal-driven relationship focused on growth and change. Dr. Garber is available to conduct psychotherapy with individual children, teenagers and adults, as well as with couples, families, sibling groups and in group psychotherapy meetings. Each of these interventions will require the time to collect an initial history and background regarding each participant (“patient”), negotiation of mutually acceptable and reasonable goals and discussion of the best means and approximate time for accomplishing these goals.

Dr. Garber will direct the course of the psychotherapy within the limits of his training, expertise and resources. Dr. Garber must reserve the right to advise you at any time that other resources may better suit your needs in addition to or instead of the services he offers.

Dr. Garber responsibility to this therapy will be to be available for all scheduled appointments barring illness and emergency. The patient's responsibility in psychotherapy will be to attend all meetings as scheduled (barring illness and emergency), to be as open and honest as possible, and to reasonably follow through with any outside task or assignment which has been agreed upon. See also the related page on Psychotherapy.

b) Assessment. We may mutually contract to complete a period of evaluation called an assessment. Assessment seeks to apply psychological principles to understanding one or more specific question about an individual or group’s behavior, thoughts or emotions. Unless otherwise determined, the assessment process is complete upon delivery of (written or oral) feedback and recommendations. When court-involved (“forensic”) assessment is conducted, specific conditions of payment, confidentiality and procedure are involved. I will alert you to these conditions at the earliest possible time.

See also <http://www.healthyparent.com/forensic.html>.

c) Consultation. These services refer to the effort of an individual, group of individuals or agency to gain professional and unbiased insight into an on-going relationship or conflict, process or procedure. Specific conditions of payment, confidentiality and procedure must be agreed upon from the start of these services.

d) Mediation, negotiation and arbitration. In specific instances, disputing parties can mutually elect or be court-ordered to engage with a third party for the purpose of resolving specific issues in the least contentious way possible. Dr. Garber often serves in this capacity in child-centered matters (e.g., custody or visitation) under specific terms and conditions.

See also <http://www.healthyparent.com/forensic.html>

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3. When and how can Dr. Garber be reached?

It is Dr. Garber's responsibility to respond to your clinical needs twenty-four hours a day, seven days a week for the duration of the contracted service. Dr. Garber relies upon an answering service and/or an answering machine and/or a pager to assure that he can be reached at all times. When he is unavailable, he will arrange for a colleague to be available to respond to emergency calls.

Any time health and safety are at imminent risk, you are strongly advised to contact the police and/or seek hospital emergency room care first, before contacting this office. Dr. Garber welcomes your routine contact via voice mail, fax and e-mail and can typically respond within one business day. When leaving a message, please indicate whether and how you would like a response to each message.

4. What is the typical duration of services?

In most instances, Dr. Garber will recommend a specific time course or duration of services based on negotiated goals, resources and limitations. The recommended time course is most often in terms of a number of meetings. Upon completion of the estimated number of meetings, Dr. Garber will recommend a review of status and progress in order to evaluate (a) the need for further services, (b) revision of goals and/or the methods of approaching these goals, (c) inclusion of new ancillary resources to facilitate progress (e.g., referral for medication consultation, occupational therapy or a support group) or (d) that services be discontinued in favor of discontinuing therapy altogether or transferring therapy to a different provider.

5. Who is the patient?

For clinical purposes, the patient is the individual seeking growth and change. Legally, however, the "patient" may have a different meaning:

a) Children. When a child is the clinical patient, Dr. Garber's clinical responsibility is to the child and the child's best interests. However, Dr. Garber's legal responsibility is to the legal guardian(s), usually the parent(s)

b) Separated and Divorced Parents or Guardians. When a child is the clinical patient and his or her legal guardians are separated but share legal custody, Dr. Garber's legal responsibility is split between the two caregivers, although the clinical responsibility and primary focus remains on the child.

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Please be advised that when legal guardians disagree about the value of psychological services, New Hampshire law allows that the dissenting guardian has the right to halt services pending legal decisions to the contrary.

c) Teenagers. The law guarantees teenagers certain adult-like protections in matters of reproductive health, substance use and physical illness (e.g., AIDS). In every instance possible, Dr. Garber's interest is in respecting a teenager's maturity and independent functioning.

d) Court Ordered Services. If you have been ordered to participate in psychological services by a court, the court itself is the legal "patient." This means that the court can determine the goals, frequency and duration of services, subject to my recommendations.

6. Confidentiality.

Dr. Garber will do everything possible within the law to respect the confidentiality of the psychotherapy relationship. There are, however, certain situations which legally mandate the release of what might otherwise be construed as confidential information. These include, but may not be limited to:

a) Written Release. In most instances, the patient or the patient's legal guardian(s) can authorize release of confidential records to specific individuals and/or to obtain information from specific individuals in writing.

b) Threats to Health and Safety. The law requires that any health service provider act to assure safety first and foremost. This means that any time that Dr. Garber suspects that an individual poses a threat to their own health and well-being or to others safety personnel including the police and/or child protective services must be notified.

If you are concerned about the safety of a child in the state of New Hampshire, contact the Division for Children, Youth and Families at 1-800-894-3533 immediately.

c) Property Damage. New Hampshire may require notification of appropriate authorities should a threat of serious damage to property be present.

d) Court Order. Judges, juries and courts can subpoena psychotherapy records. Although there are instances in which a subpoena can be resisted, it is generally the case that a court can compel the release any of such records.

e) Insurance Carriers. Your contract with your health, life and/or disability insurance providers may well authorize these parties to receive copies of any or

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all of your confidential records. Although Dr. Garber does not participate with any managed care or insurance companies and will not bill any third party insurance entity for services in your name, your effort to seek reimbursement may be sufficient to alert the company to seek release of confidential psychological records which may impact your qualifications for future claims, policy renewals and/or payments.

See also <http://www.healthyparent.com/insurance.html>

7. Why should you consult with a physician?

Your thinking, emotions and your physical health influence one another very closely, each affecting the other minute to minute. Assuring that your body is as healthy as possible and remains healthy throughout the course of psychotherapy is critically important.

New Hampshire law requires that Dr. Garber strongly encourage you to complete a thorough physical examination within at least six months of commencing psychological services and that you remain in consultation with a medical provider throughout the course of services.

8. What is supervision, consultation and coverage?

In concert with legal and ethical guidelines, it is Dr. Garber's practice to engage in confidential peer consultation on a regular basis. Such consultation helps to assure the quality of services available. Consultation is conducted in a confidential setting with qualified, experienced and trusted mental health professionals. Case discussion occurs anonymously unless specific release has been obtained from the legal patient.

Dr. Garber often relies on these same colleagues for emergency "coverage" during any absence or vacation. Whenever possible, Dr. Garber will provide the name of any such emergency coverage in advance of a planned absence. By agreeing to participate in psychological services, you are accepting that Dr. Garber may engage certain colleagues for purposes of supervision, consultation and/or coverage.

9. Does Dr. Garber keep records?

It is Dr. Garber's practice and consistent with state and federal laws to keep secure written and/or electronic records of all services provided. Records of your services are accumulated in a paper and/or electronic file.

Copies of these records are available for an administrative fee at the written request of the legal patient.

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10. Confidentiality and Security of Electronic Records

Beginning in 2003, the Health Insurance Portability and Accountability Act (HIPAA) of 1996 will impose very specific and strict protections on patient health care information. For more information, search HIPAA on the web.

By signing below, you are indicating that you have read, understand and accept the conditions described above.

Please Print Your Name and Today's Date

Please Sign Your Name

Please Print the Patient's Name (if different)

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