## Joseph S. Weiner, MD, PC E-Mail and TEXTING CONSENT FORM

Email communication and texting can be convenient and effective ways to communicate. However, before you send information to, or receive information from your physician by email or texting, you should be aware of the potential risks and responsibilities. After reading these risks and responsibilities, if you would like to communicate with Joseph S. Weiner, MD, PC by email or text, please sign the bottom of this consent form.

#### 1. RISK OF USING E-MAIL or Texting

**Joseph S. Weiner, MD, PC** offers patients the opportunity to communicate by e-mail or texting. Transmitting patient information by e-mail or texting, however, has a number of risks that patients should consider. These risks include, but are not limited to the following:

a. E-mails or texts can be circulated, forwarded, and stored in numerous paper and electronic files.

b. E-mails or texts can be immediately broadcast worldwide and be received by many intended and unintended recipients.

c. E-mail or text senders can easily misaddress an e-mail resulting in the email reaching an unintended person.

d. E-mails or texts are easier to falsify than handwritten or signed documents.

e. Backup copies of an e-mail or text may exist even after the sender or the recipient has deleted his or her copy.

f. Employers and on-line services have a right to archive and inspect e-mails or texts transmitted through their systems.

g. E-mails or texts can be intercepted, altered, forwarded, or used without authorization or detection.

h. E-mails or texts can be used to introduce viruses into computer systems.

i. E-mails or texts can be used as evidence in court.

### 2. CONDITIONS FOR THE USE OF E-MAIL or Texting

Dr. Weiner will use reasonable means to protect the security and confidentiality of e-mail information sent and received. However, because of the risks outlined above, he cannot guarantee the security and confidentiality of e-mail or text communication, and he will not be liable for improper use and/or disclosure of confidential information that is not caused by his intentional misconduct (including Protected Health Information that is the subject of the Federal Health Insurance Portability and Accountability Act of 1996). Thus you must consent to the use of e-mail for patient information. Consent to the use of e-mail or texting includes agreement with the following Conditions:

a. All e-mails or texts to or from you concerning diagnosis or treatment will be printed out and made part of your medical record. Because they are a part of the medical record, other individuals authorized to access the medical record, such as staff and billing personnel, will have access to those e-mails.

b. Dr. Weiner may forward e-mails or texts internally to the Practice's staff and agents as necessary for diagnosis, treatment, reimbursement, and other handling.

c. Although Dr. Weiner will endeavor to read and respond promptly to an e-mail or text from the patient, he cannot guarantee that any particular e-mail or text will be read and responded to within any particular period of time. Thus, you should not use e-mail or texting for medical emergencies or other time-sensitive matters.

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d. If your e-mail or text requires or invites a response from the Practice, and you have not received a response within a reasonable time period, it is your responsibility to follow up to determine whether the intended recipient received the e-mail or text and when the recipient will respond.

e. You should be very careful about the use e-mail or texting for communication regarding sensitive medical information, such as sexually transmitted diseases, AIDS/HIV, mental health, developmental disability, or substance abuse.

f. You are responsible for informing Dr. Weiner of any types of information you do not want to be sent by e-mail or text, in addition to those set out in 2(e) above.

g. You are responsible for protecting your password or other means of access to e-mail or texting devices. Dr. Weiner is not liable for breaches of confidentiality caused by you or any third party.

h. Dr. Weiner shall not engage in e-mail or texting communication that is unlawful, such as unlawfully practicing medicine across state lines.

i. It is your responsibility to follow up and/or schedule an appointment if warranted.

### 3. INSTRUCTIONS

To ensure that I you protect your privacy and that I can meet your needs when we communicate by e-mail please:

a. Limit or avoid use of your employer's computer.

b. Inform Dr. Weiner of changes in your e-mail address or cell phone number.

c. Put your name in the body of the e-mail or text.

e. Review the e-mail or text to make sure it is clear and that all relevant information is provided before sending to Dr. Weiner.

g. Take precautions to preserve the confidentiality of e-mails or texts, such as using screen savers and safeguarding his/her computer password.

h. Withdraw consent only by e-mail or written communication to Dr. Weiner.

i. Contact the Dr. Weiner at 516-336-2585 with any unanswered questions before communicating with the Practice via e-mail.

j. Again, NEVER communicate about an emergency situation by email or texting. Instead (1) call Dr. Weiner directly, or (2) call 911, or (3) go to your local emergency room.

### 4. PATIENT ACKNOWLEDGMENT AND AGREEMENT

I acknowledge that I have read and fully understand the information Joseph S. Weiner, MD, PC has provided me regarding the Risks of using e-mail and texting. I understand the Risks associated with the communication of e-mail and texting between Dr. Weiner and me, and consent to the Conditions outlined on the previous pages. In addition, I agree to the Instructions outlined on the previous pages, as well as any other Instructions that Dr. Weiner may require regarding e-mail and texting communications.

Signature

Print Name

Date

Email address:

Cell Phone number: