
SUBJECT: Complaints Regarding Patient Privacy**Page 1 of 1****EFFECTIVE DATE: Draft****REVIEWED/REVISED:****PURPOSE: To define how individuals may file complaints related to compliance with the HIPAA Privacy Regulations.**

Pursuant to the Health Insurance Portability and Accountability Act (HIPAA), Section 164.530(d), MHS and its affiliates must have a mechanism for receiving complaints from individuals regarding their compliance with the requirements of the HIPAA Privacy Regulations. MHS and its affiliates are required to accept complaints regarding any aspect of their practices regarding protected health information. For example, individuals must be able to file a complaint when they believe that their protected health information has been used or disclosed improperly; that an employee of MHS or one of its affiliates has improperly handled the information; that they have wrongfully been denied access to or opportunity to amend the information; or that the MHS Privacy Notice does not accurately reflect its information practices.

POLICY:

1. MHS and its affiliates will provide a process for individuals to make complaints concerning policies and procedures regarding the use or disclosure of protected health information or non-compliance with such policies and procedures.
2. The appropriate MHS affiliate Privacy Officer is the contact for individuals to file complaints pursuant to this policy.
3. No MHS affiliate may require an individual to waive their rights to file a complaint with the Department of Health and Human Services as a condition of the provision of treatment, payment, enrollment in a health plan, or eligibility for benefits.

PROCEDURE:

1. All complaints received will be documented, including their disposition, if any, for a period of at least 6 years from the date of its creation or the date when it last was in effect, whichever is later.
2. All complaints concerning policies and procedures required by the HIPAA privacy rule, or non-compliance with such policies and procedures, should be directed to appropriate MHS affiliate Privacy Officer.
3. Patients must also be notified of their right to file complaints with the Secretary of the Department of Health and Human Services.