Title: Patient Filing a HIPAA Complaint
Type: Privacy
Number: RENOWN.CCD.765
Author(s): Melinda Montoya, Renown Health VP Chief Compliance and Privacy Officer
Owner: Renown Health VP Chief Compliance and Privacy Officer

**Scope:**
Accountable Care Organization; Administrative & Business Offices; Ambulatory; Behavioral Health; Breast Health Center; Center for Advanced Medicine B; Center for Advanced Medicine C; foundation; Healthcare Center; Home Health; Hometown Health; Hospice; Hyperbaric; Laboratory; Medical Group; Monaco Ridge; Pregnancy Center; Regional Medical Center; Rehabilitation Hospital; Skilled Nursing; South Meadows Medical Center; Surgical Arts; Therapies; Urgent Care; Wound Care; X-ray & Imaging

**Policy Statement:**
Renown Health must provide a process for individuals who believes the rights granted to him/her by the Health Insurance Portability and Accountability Act (HIPAA) or any other state or federal laws dealing with privacy, security and confidentiality have been violated may file a complaint regarding the alleged violation. Renown Health will document all complaints received and their disposition if any.

**Definition of Terms:**
1. HIPAA – Health Insurance Portability and Accountability Act
2. Protected Health Information (PHI) – For the purpose of this policy, is defined as any individually identifiable health information collected or stored by a health care provider, including billing information. Individually identifiable health information includes demographic information and any information that relates to past, present or future physical or mental condition of an individual and billing records. PHI does not include education records covered by the Family Educational Rights and Privacy Act (FERPA); Employment records by a Covered Entity in its role as an employer; and regarding a person who has been deceased more than 50 years.

**Procedure:**
1. A privacy related complaint made by a patient; physician, clinician, employee, student, volunteer or anyone with knowledge of alleged wrongdoing at any time must be forwarded to the Chief Compliance and Privacy Officer.

2. Complaints may also be made anonymously by calling the Compliance Hotline (800-611-5097).
3. Investigation of complaints shall include:
   a. The Compliance and Privacy Officer will contact the facility department where
      the privacy violation is alleged to have taken place to begin an investigation.
      Staff members of the Compliance Department may be requested to assist in
      investigations.
   b. The Human Resources Department will be notified of investigations regarding
      complaints involving employees that may have violated patient privacy
      standards.
   c. Where indicated, the Compliance and Privacy Officer will initiate a
      simultaneous investigation of any applicable information technology systems
      to determine if a breach of privacy has occurred whether the complaint is
      made by a patient, physician, clinician, employee, student or volunteer.

4. In the event an individual elects to file a privacy complaint with the Secretary of the
   Department of Health and Human Services provided in 45 CFR§160.306, Renown
   will respond to the complaint and will cooperate with any resulting investigation.

5. The Compliance and Privacy Officer has the responsibility of facilitating compliance
   with these procedures.

6. Each workforce member with treatment, payment or health care related
   responsibilities is responsible for attending ongoing education on patient privacy and
   rights as directed.

7. Each workforce member with treatment, payment or health care related
   responsibilities is responsible for compliance with these policies and principles.

8. Enforcement will be consistent with Renown Health’s Code of Conduct and Renown Health
   Human Resources Coaching and Corrective Action Policy RENOWN.HRM.810.

References/Regulations:

45 CFR§164.530(d) Complaints to the Covered Entity
45 CFR§160.306 Complaints to the Secretary
RENOWN.HRM.810 Coaching and Corrective Action

Contributors:

Brian Colonna, HIPAA Privacy Coordinator
Drew Williamsen, Manager of Compliance