HIPAA HEALTH INFORMATION PRIVACY COMPLAINT FORM

Your full name			
Address			
City	State	Zip	
Phone number	Fax number		
Email address	Date		

Information about the Suspected Privacy Violation

Entity* that is the subject of this complaint

(*The individual or organization that you believe violated your privacy. This may be an individual health care provider or organization, health plan, or health care clearinghouse)

Address

Phone number

Date of violation

Describe the privacy violation (attach additional pages if necessary)

This form prepared by the Health Privacy Project. For information on submitting your complaint, see "HIPAA Health Information Privacy Complaint — How To File a Complaint," available at www.healthprivacy.org.

HIPAA Health Information Privacy Complaint - How To File a Complaint

If you believe that your rights under the federal HIPAA Privacy Rule have been violated, you can file a complaint with the United States Department of Health of Human Services (HHS), Office for Civil Rights. The information provided here tells you how and where to file a complaint.

The HIPAA Privacy Rule provides nationwide standards for the privacy of individually identifiable health information. If you need more information to help you determine if your rights have been violated, you can learn more about the specifics of the Privacy Rule at www.healthprivacy.org or www.hhs.gov/ocr/hippa.

The Department of Health and Human Services, Office for Civil Rights has the authority under the HIPAA rule to impose civil and criminal penalties if they find a violation of the law. However, under this law, you do not have the right to file a lawsuit against the entity that you believe violated your rights. Also, if the Department of Health and Human Services imposes any financial penalties as a result of the violation, you will not receive any of those funds; they will go to the federal government. However, you can benefit from a complaint if the penalties imposed require the entity to take certain steps to remedy the violation. Those remedies might include making corrections to or providing you with access to your records or reinstating you into a health plan. The Health Privacy Project encourages you to file a complaint if you believe your rights have been violated.

Under the HIPAA Privacy Rule you can only file a complaint for incidents that occurred on or after April 14, 2003, the date when the rule went into effect. The complaint should be filed within 180 days of when you first knew or should have known about the violation.

We have designed a form that should help you gather information needed to file a complaint. You do not have to use this form to file your complaint. In the future, you will be able to use a form available through HHS. (As of April 2003, the Office for Civil Rights has not posted the form yet.) You may also simply provide the required information in writing (either on paper or electronically) to HHS without the use of any form.

The Health Privacy Project wants to monitor the oversight and enforcement of HIPAA to ensure that your rights are enforced. To do this effectively, we would like to know how many complaints have been filed and the nature of the complaint. We need your help in this effort. Please send a copy of the complaint to us. Any and all information collected by the Health Privacy Project will be kept strictly confidential and will not be sold, reused, rented, loaned, or otherwise disclosed. For details on how to provide us with a copy of your complaint see "Submitting the Complaint". If you have any question on this issue, please contact Katharina Kopp, Program Manger, at 202-721 5614 or kkopp@healthprivacy.org.

Submitting the Complaint

You have several options for submitting this complaint.

1. You may **e-mail** your complaint directly to the U.S. Department of Health and Human Services, Office for Civil Rights.

All email complaints should be sent to: OCRcomplaint@hhs.gov. If you use our form, you can either provide the information in this form in the body of your email or attach an electronic version of the form to your message.

In order for the Health Privacy Project to monitor the complaint process, **please copy us on your email complaint**. Any copies of complaints should be emailed to: complaint@healthprivacy.org.

2. If you want to mail or fax your complaint, you have to select one of the regional Offices for Civil Rights listed below. The appropriate mailing address and fax number for submitting your complaint in writing depends upon the location of the entity that you believe violated your privacy.

In order for the Health Privacy Project to monitor the complaint process, please mail us a copy of your complaint: Health Privacy Project, Complaint Process, 1120 19th Street, NW, 8th Floor, Washington, DC 20036.

For complaints involving covered entities located in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, or Vermont:

Region I, Office for Civil Rights, U.S. Department of Health and Human Services, Government Center, J.F. Kennedy Federal Building—Room 1875, Boston, MA 02203. Voice phone (617) 565-1340. FAX (617) 565-3809. TDD (617) 565-1343.

For complaints involving covered entities located in New Jersey, New York, Puerto Rico, or Virgin Islands:

Region II, Office for Civil Rights, U.S. Department of Health and Human Services, Jacob Javits Federal Building, 26 Federal Plaza—Suite 3312, New York, NY, 10278. Voice Phone (212) 264-3313. FAX (212) 264-3039. TDD (212) 264-2355.

For complaints involving covered entities located in Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, or West Virginia:

Region III, Office for Civil Rights, U.S. Department of Health and Human Services, 150 S. Independence Mall West, Suite 372, Public Ledger Building, Philadelphia, PA 19106-9111. Main Line (215) 861-4441. Hotline (800) 368-1019. FAX (215) 861-4431. TDD (215) 861-4440.

For complaints involving covered entities located in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, or Tennessee:

Region IV, Office for Civil Rights, U.S. Department of Health and Human Services, Atlanta Federal Center, Suite 3B70, 61 Forsyth Street, SW., Atlanta, GA 30303-8909. Voice Phone (404) 562-7886. FAX (404) 562-7881. TDD (404) 331-2867.

For complaints involving covered entities located in Illinois, Indiana, Michigan, Minnesota, Ohio, or Wisconsin:

Region V, Office for Civil Rights, U.S. Department of Health and Human Services, 233 N. Michigan Ave., Suite 240, Chicago, IL 60601. Voice Phone (312) 886-2359. FAX (312) 886-1807. TDD (312) 353-5693.

For complaints involving covered entities located in Arkansas, Louisiana, New Mexico, Oklahoma, or Texas:

Region VI, Office for Civil Rights, U.S. Department of Health and Human Services, 1301 Young Street, Suite 1169, Dallas, TX 75202. Voice Phone (214) 767-4056. FAX (214) 767-0432. TDD (214) 767-8940.

For complaints involving covered entities located in Iowa, Kansas, Missouri, or Nebraska:

Region VII, Office for Civil Rights, U.S. Department of Health and Human Services, 601 East 12th Street—Room 248, Kansas City, MO 64106. Voice Phone (816) 426-7278. FAX (816) 426-3686. TDD (816) 426-7065.

For complaints involving covered entities located in Colorado, Montana, North Dakota, South Dakota, Utah, or Wyoming:

Region VIII, Office for Civil Rights, U.S. Department of Health and Human Services, 1961 Stout Street—Room 1185 FOB, Denver, CO 80294-3538. Voice Phone (303) 844-2024. FAX (303) 844-2025. TDD (303) 844-3439.

For complaints involving covered entities located in American Samoa, Arizona, California, Guam, Hawaii, or Nevada:

Region IX, Office for Civil Rights, U.S. Department of Health and Human Services, 50 United Nations Plaza Room 322, San Francisco, CA 94102. Voice Phone (415) 437-8310. FAX (415) 437-8329. TDD (415) 437-8311.

For complaints involving covered entities located in Alaska, Idaho, Oregon, or Washington:

Region X, Office for Civil Rights, U.S. Department of Health and Human Services, 2201 Sixth Avenue—Suite 900, Seattle, WA 98121-1831. Voice Phone (206) 615-2287. FAX (206) 615-2297. TDD (206) 615-2296.



Founded in 1997, the Health Privacy Project is dedicated to raising public awareness of the importance of ensuring

health privacy in order to improve health care access and quality, both on an individual and a community level. Originally a part of the Institute for Health Care Research and Policy at Georgetown University the Project is currently an independent, nonprofit 501(c)(3) organization.

Health Privacy Project

1120 19th Street, NW, 8th Floor Washington, DC 20036 phone (202) 721-5614 fax (202) 530-0128 info@healthprivacy.org