

FILING COMPLAINTS**I. PURPOSE**

Healthy Partnerships Services is required under HIPAA to have a mechanism for receiving complaints from individuals regarding any aspect of the department's practices regarding protected health information. For example, individuals would be able to file a complaint when they believe that protected (health) information relating to them has been used or disclosed improperly, that an employee of the department has improperly handled the information, that they have wrongfully been denied access to or opportunity to amend the information, or that the department's Notice of Privacy Practices does not accurately reflect its practices.

II. REFERENCES

45 C.F.R. §164.530(d)

III. POLICY

1. As specified in 45 C.F.R. §164.530(d), Healthy Partnerships (Health) Services will provide a process for individuals to make complaints concerning the department's policies and procedures regarding the use or disclosure of protected health information, or its compliance with such policies and procedures.
2. The Privacy Officer will be Sharon Loveseth (Health) Service's designated contact for the coordination of complaint resolution and tracking. With the exception of the Solano County Health Plan and Solano County Mental Health divisions, all individuals wishing to file complaints pursuant to this policy will be directed to the Privacy Office Of Healthy Partnerships, 1286 Callen Street, Vacaville, CA 95688 . This information is included in the Healthy Partnerships (Health) Services' Notice of Privacy Practices.
3. Healthy Partnerships (Health) Services will not require individuals to waive their rights to file a complaint with the Department of Health and Human Services or any other regulatory agency as a condition of the provision of treatment, payment, enrollment in a health plan, or eligibility for benefits.
4. Healthy Partnerships (Health) Services safeguards the rights of individuals to file complaints and will ensure that there are no discriminatory actions taken against an individual who has filed a complaint. (See Sanctions policy.)

IV. PROCEDURE

1. Individuals (or their legal agents) who believe their privacy rights have been violated may file a complaint concerning Healthy Partnerships (Health) Service's compliance with the HIPAA privacy rule.

2. Complaints may be filed either by writing the Privacy Office Of Healthy Partnerships, 1286 Callen Street, Vacaville, CA 95688, or by calling the Healthy Partnerships (Health) Services (707) 447-8982.
3. The Privacy Officer or his/her designee will determine the best department to investigate the complaint and forward it to the appropriate department head for review and response. All investigations regarding privacy complaints will be kept confidential.
4. The Privacy Officer or his/her designee will mail a written disposition of the complaint (the "resolution letter") within thirty (30) days of receipt of the complaint.
5. Healthy Partnerships (Health) Services will document all complaints received, including date received, nature of the complaint, person(s) involved in the investigation, and the disposition of the complaint for a period of at least 5 years from the date of the resolution letter.
6. Reports will be compiled for all privacy/HIPAA complaints and reviewed at the quarterly CCHS HIPAA workgroup meeting to identify and address any trends or patterns of complaints.

V. RESPONSIBLE STAFF

Privacy Officer