

WVU PHYSICIANS OF CHARLESTON

POLICY REGARDING PRIVACY/SECURITY COMPLAINT PROCESSES

Purpose: To set forth the policy and procedures of WVU Physicians of Charleston (WVUPC) regarding the process to be followed for review and resolution of patient privacy and/or security complaints.

Standard: The Health Insurance Portability and Accountability Act (“HIPAA”) requires covered entities to have a mechanism in place for receiving complaints from individuals regarding the covered entities’ compliance with the requirements of HIPAA’s privacy and security standards.

Policy:

1. As specified in 45 C.F.R. § 164.530(d), WVUPC will provide a process for individuals to make complaints concerning the policies, procedures and actions of WVUPC regarding the use or disclosure of protected health information (“PHI”).
2. The WVUPC Privacy Officer shall be the organization’s designated contact to whom individuals may file complaints pursuant to this policy.
3. WVUPC will not require individuals 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 regarding WVUPC’s privacy or security policies and procedures, and compliance with such policies and procedures, will be documented, reviewed and acted upon as necessary by the WVUPC Privacy Officer, and/or Security Officer, in consultation and collaboration with practice management and Human Resources.
2. WVUPC’s Notice of Privacy Practices will specify an individual’s right to make a complaint about potential violations of HIPAA’s Privacy Rule, and will include information about to whom complaints may be forwarded.
3. Any individual making an inquiry to any WVUPC clinical department regarding the filing of a complaint over WVUPC privacy

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policies and procedures shall be provided with the Privacy Officer's contact information, and either the clinical department or the Privacy Officer may make a WVUPC approved form available to the individual for the submission of such complaint(s).

3. All complaints regarding WVUPC privacy or security practices should be directed in writing on a form approved by WVUPC to: Privacy Officer, WVUPC, 3110 MacCorkle Ave., S.E., Room 2062, Charleston, West Virginia, 25304, phone (304) 347-1354.

4. The Privacy Officer will document each complaint received and will maintain such documentation in either written or electronic format for a minimum of six (6) years from the date the complaint was received.

5. The Privacy Officer will, in conjunction with the practice administrator and other relevant representatives of the clinical department in which the complaint arose, investigate each complaint, and will document the resolution of the investigation and any corrective or remedial actions to be taken.

6. Documentation of the results of any privacy investigations and remedial actions shall be maintained by the Privacy Officer for a minimum period of six (6) years from the date of such investigation and action.

REFERENCES:

45 C.F.R. § 164.530

POLICY/PROCEDURE NO. PP-20

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