Policy Number: HC-20	Page: 1	Of: 2
Title: Privacy Complaints		
Regulatory Authority: HIPAA Regulations, FERPA Regulations, ORC, OAC		
Effective Date: 01/19/2021		
Reviewer/Job Title: Director of Operations		

(A) PRIVACY COMPLAINTS

Any individual or employee to may complain about the HCBDD's Confidentiality and Privacy policies and procedures and/or the HCBDD's compliance with those policies and procedures. The HCBDD shall take action and document all such complaints.

Audience

All Staff

Authority

45 CFR 164.530(d) HIPAA complaint procedures

ORC § 5123.64(A) requires establishment of a complaint procedure

OAC § 5123:2-1-12 administrative resolution of complaints involving the programs, services, policies, or administrative practices of a county board or the entities acting under contract with a county board

1) **The HIPAA Privacy Officer shall manage this complaint process**, and shall be designated in the Notice of Privacy practices as the individual to receive complaints.
2) The HCBDD will extend the provisions of the whistleblower policy to all individuals who file confidentiality or privacy related complaint.
3) **Employee to File Written Complaint with Privacy Officer.** An employee or individual should file their complaint in writing to the privacy officer. Employees may review the whistleblower policy which provides for alternate officials to receive the written complaint.
4) **Review and Investigation of Complaint.** Upon receipt of a complaint, the Privacy Officer (or the employee's supervisor or Superintendent) shall review and investigate the complaint.
5) **Corrective Action.** If warranted, the Privacy Officer shall take corrective action, which may include:
   a) Change of policy and/or procedure.
   b) Intervention with an employee who is not following procedures including additional training and/or sanctions.
   c) Other action as appropriate.
6) **Communicating Results of Investigation and Corrective Action.** The Privacy Officer shall communicate the results of the investigation and any corrective action taken to the

individual filing the complaint.

7) **Documentation of Complaints.** The HCBDD shall document all complaints received and the disposition of each complaint, if any. Documentation shall be maintained in accordance with policy. HIPAA Assignments and Documentation.