

## Privacy Rule Complaints

The Privacy Rule is effective April 14, 2003 and implements certain provisions of the Administrative Simplification subtitle of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The Secretary of the Department of Health and Human Services has delegated to the Office for Civil Rights (OCR) the authority to receive and investigate complaints for violations of the Privacy Rule by a covered entity. A covered entity is a health plan, health care clearinghouse, and any health care provider who conducts certain health care transactions electronically.

For more information on what entities are covered by HIPAA, go to <http://www.cms.hhs.gov/hipaa/hipaa2/support/tools/decisionsupport/>

### How to file a complaint:

A person who believes a covered entity is not complying with Privacy Rule requirements may file a complaint with the OCR.

Complaints must:

- (1) Be filed in writing, either on paper or electronically;
- (2) Name the entity that is the subject of the complaint and describe the acts or omissions believed to be in violation of the applicable requirements of part 160 or the applicable standards, requirements, and implementation specifications of subpart E of part 164; and
- (3) Be filed within 180 days of when the complainant knew or should have known that the act or omission complained of occurred, unless OCR waives this time limit for good cause shown.

Complaints may:

- (4) Be filed only with respect to alleged violations occurring on or after April 14, 2003.
- (5) Be filed by mail, fax or email at the addresses listed below.

Individuals may, but are not required to use OCR's Health Information Privacy Complaint Form. To obtain a copy of this form, or for more information about the Privacy Rule or how to file a complaint with OCR, contact any OCR office or go to <http://www.hhs.gov/ocr/privacyhowtofile.htm>.

To file complaints by e-mail go to: [OCRComplaint@hhs.gov](mailto:OCRComplaint@hhs.gov).

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, Washington 98121-1831  
Voice Phone (206) 615-2287  
FAX (206) 615-2297  
TDD (206) 615-2296.

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.