

UNIVERSITY OF FLORIDA
INFORMATION PRIVACY POLICIES & PROCEDURES
HEALTH INFORMATION OPERATIONAL GUIDELINES

I. Complaints

A. POLICY

Rev. 06/01/2005

The University of Florida will investigate and attempt to resolve all complaints relating to breaches of confidentiality and information security within a reasonable time after a complaint is received.

B. DEFINITIONS

1. **Complaint:** An allegation of wrongdoing against an individual or organization.
2. **Breach:** An actual violation of policy or procedure; going against established rules.

C. PRIVACY REQUIREMENTS

1. **Filing A Complaint:** Patients or their legal representatives may file formal complaints with the University of Florida or with the Secretary of Health and Human Services if they believe their privacy rights have been violated.
2. **Non-Retaliation:** The University of Florida will not intimidate, threaten, coerce, discriminate against, or take any other form of retaliatory action against any person filing a complaint or inquiring about how to file a complaint.
3. **No Waiver of Rights:** The University of Florida may not require patients to waive their rights to file a complaint as a condition for providing treatment, arranging for payment, enrollment in a health plan, or eligibility for benefits.

D. PROCEDURES

1. **Customer Service:** Encourage any patient or personal representative who indicates a desire to file a privacy complaint to discuss the situation with a supervisor or administrative person first.
 - a) *Document all conversations concerning the alleged violation of privacy.*
 - b) *Listen and offer apologies, if appropriate, but only for discomfort and/or inconvenience; without acknowledging any wrongdoing.*
2. **Assist:** If the patient wants to file a formal complaint, provide a Privacy Complaint form (see Forms) and assist with completion of the form, if necessary. Complaints should be directed to the UF Gainesville Privacy Office or the UF Jacksonville Compliance Office first:
 - a) *Chief Privacy Officer*
University of Florida
PO Box 100014
Gainesville, FL 32610
Toll-Free Phone: 866-867-4472 (HIPA)
Email: privacy@ufl.edu

UNIVERSITY OF FLORIDA
INFORMATION PRIVACY POLICIES & PROCEDURES
HEALTH INFORMATION OPERATIONAL GUIDELINES

b) HIPAA Compliance Manager

University of Florida-Jacksonville
653-1 West 8th Street
Jacksonville, FL 32209-6511

c) Office for Civil Rights

U. S. Department of Health and Human Services
Medical Privacy, Complaint Division
200 Independence Avenue, SW
Washington, D. C. 20201
Toll-Free Phone: 877-696-6775
Phone: 866-627-7748 TTY: 886-788-4989
Email: [www. hhs. gov/ ocr](http://www.hhs.gov/ocr)

- 3. Inform and Document:** Inform the UF Privacy Officer (or, in Jacksonville, the HIPAA Compliance Manager) immediately when a complaint is received from a patient or other individual. If the patient does not complete the Complaint Form immediately, collect at a minimum:
- a) The name and contact information for the complainant;*
 - b) The date and time of the complaint;*
 - c) The name of the staff member who received the complaint.*
- 4. Follow Up:** The Privacy Officer or designated representative will make every effort to contact the patient or representative within 3 (three) business days of receiving notice of a formal complaint.
- 5. After investigation,** the patient or representative will be contacted with the results of the investigation and the corrective actions to be taken.

E. REFERENCES

HIPAA: 45 CFR §160.306 (Complaints to the Secretary), §164.530 (Patient's Rights: Complaints)

F. EXHIBITS None