



## Oklahoma State University

<b>Title: Complaints to the Secretary</b>	<b>Policy #: ENF-00.01</b>
<b>Category: HIPAA Compliance</b>	<b>Authority: 45 CFR § HIPAA SECTION: 160.306</b>
<b>Standard: Compliance and Investigations</b>	<b>Responsibility: Health Care Components</b>
<b>Effective Date: 4/14/2003</b>	<b>Page 1 of 1</b>
<b>Approved By: OSU Legal Counsel</b>	<b>Revised: 7/1/2013</b>

### PURPOSE:

To provide information to individuals on the process of making complaints to the Secretary for the Department of Health and Human Services.

### POLICY:

Any individual who wishes to file a complaint against OSU may file a complaint with the Secretary of the Department of Health and Human Services, and/or may also file a complaint as listed in PRV-13.04 Complaints to the Covered Entity.

### PROCEDURE:

Individuals may also file a complaint with the Secretary for the Department of Health and Human Services (HHS) if they believe OSU is not complying with the administrative simplification provisions. *§160.306(a)*

- HHS requires all complaints be filed in writing, either on paper or electronically. *§160.306(b)(1)*
- The complaint must name the person that is the subject of the complaint and describe the acts or omissions believed to be in violation of the applicable administrative simplification provision(s). *§160.306(b)(2)*
- A complaint must be filed within 180 days of when the complainant knew or should have known that the act or omission complained of occurred, unless the time limit is waived by the Secretary for good cause shown. *§160.306(b)(3)*
- The Secretary may prescribe additional procedures for filing of complaints, as well as the place and manner of filing, by notice in the FEDERAL REGISTER. *§160.306(b)(4)*
- The Secretary may investigate complaints filed to the Department of Health and Human Services. Their investigation may include, not limited to a review of pertinent policies and procedures, circumstances regarding any alleged violation.

### REFERENCE:

[PRV-13.04 Complaints to the Covered Entity](#)