

<b>Policy &amp; Procedure</b>	<i>ID No.</i>	4793
<i>Subject:</i> HIE Complaints	<i>Category:</i>	Management of Information
<i>Facility Scope:</i> AtlantiCare Health System	<i>Department:</i>	Health Information Exchange (HIE)

**POLICY:**

To ensure that there is a process by which patients may complain and/or make suggestions or other comments about practices or activities related to the AtlantiCare HIE, and/or its Authorized Users.

**PROCEDURE:**

1.1 Complaints

- 1.1.1 The AtlantiCare HIE and all Authorized Users shall accept complaints from Patients about the practices or issues relating to the AtlantiCare HIE.
- 1.1.2 The AtlantiCare HIE will also accept complaints from Patients, and Authorized Users regarding a *particular* Authorized User of the AtlantiCare HIE.
- 1.1.3 The procedures for the complaint process will be made known through education materials and online resources.
- 1.1.4 Any general complaint regarding the AtlantiCare HIE that is received by an Authorized User shall be promptly forwarded to the AtlantiCare HIE Administrator for handling. Complaints involving privacy or security issues shall be direct to the AtlantiCare Privacy Officer for handling.
- 1.1.5 Complaints may be submitted in writing by any reasonable method.
- 1.1.6 Neither the AtlantiCare HIE nor any Authorized User may retaliate, discriminate against, intimidate, coerce, or otherwise reprise a Patient if he or she files a Complaint pursuant to this Policy.
- 1.1.7 The foregoing Complaint process **does NOT limit** or **change** any rights that a Patient may have to file a HIPAA complaint regarding any particular Health Care Provider's privacy practices, in accordance with HIPAA and such Health Care Providers Notice of Privacy Practices.

1.2 Anonymity and Confidentiality

- 1.2.1 Complaints may be submitted anonymously. In such case, it is the responsibility of the submitting complainant to ensure that no identifying information is included or submitted with such Complaint that could reveal their identity or compromise their anonymity.
- 1.2.2 Any Patient PHI included in the Complaint shall be used and disclosed only as permitted under HIPAA, HITECH and State Law.

Effective: 1/1/13	Reviewed:	Revised: 11/16/17	Review Cycle: Annual
Owner: AtlantiCare IT	Source:	Authorized By: Chris Scanzera, Vice President & CIO	
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### 1.3 Complaint Log

- 1.3.1 Copies of Complaints submitted to the AtlantiCare HIE shall be maintained by the AtlantiCare HIE in a Complaint Log.
- 1.3.2 Outcomes or resolutions to written complaints will be documented, but may not be communicated to the submitting complainant unless specifically requested.

### 1.4 Nature of Complaints

- 1.4.1 Complaints submitted to the AtlantiCare HIE are not considered a part of a Patient's Designated Record Set, or a part of an individual's employment records.
- 1.4.2 Complaints submitted to the AtlantiCare HIE that include concerns or issues regarding the actions of an employee, agent or business associate of an Authorized User are subject to the following:
  - 1.4.2.1 If the Complaint includes information that may suggest violations of these AtlantiCare HIE policies, KeyHIE policies, provisions of the User Agreement, or other affirmative obligations of an Authorized User to the AtlantiCare HIE, then the HIE Enforcement and Sanctions Policy will be applied.
  - 1.4.2.2 If the Complaint includes information that may require action or response by the respective employer of an Authorized User, such employer shall respond and address any such employment concerns in accordance with its own internal employment practices and policies.

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