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**SUBJECT: COMPLAINTS**

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**GENERAL STANDARD (PRIVACY RULE SECTION 164.530(d)):**

AHS will provide individuals with a process for making complaints to AHS, including designating a contact person or office to receive such complaints.

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**PRIVACY RULE:**

- I.** A CE must provide a process for individuals to make complaints concerning the CE's policies and procedures, its compliance with such policies and procedures, and the requirements of the Privacy Rule.
  - II.** A CE must designate a contact person or office who is responsible for receiving complaints under the Privacy Rule and who is able to provide further information about matters covered by the CE's notice of privacy practices. A CE must document this personnel designation, and retain such documentation, for at least six years from the date of such designation, or the date when it was last in effect, whichever is later.
  - III.** A CE must document all complaints received, and their disposition, if any. The CE must retain such documentation for at least six years from the date of their receipt, or the date of their disposition, whichever is later.
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**GUIDELINES:**

1. AHS must provide a process for individuals to make complaints concerning its Standards and Guidelines, its compliance with such Standards and Guidelines, and the requirements of the Privacy Rule.
2. AHS must designate a contact person or office who is responsible for receiving complaints and who is able to provide further information about matters covered by AHS Notices of Privacy Practices. AHS must document this personnel designation, and retain such documentation, for at least six (6) years from the date of its creation, or the date when it was last in effect, whichever is later. The Privacy Official is the designated contact for individuals to file such complaints (and to respond to any inquiries regarding the Notices).
3. AHS will receive and review complaints about any aspect of its privacy practices.
4. AHS will implement the following process upon receipt of a complaint:

- A. The Privacy Official will investigate the complaint, directly or by designating the conduct of the investigation to an appropriate person, which will in all cases be a person who had no involvement in the facts surrounding the complaint, and is not in the direct chain of management of any person alleged to have committed any wrongdoing.
  - B. In the course of the investigation, the Privacy Official/designee will conduct any interviews and review any documentation that he/she believes necessary to ensure a full understanding of all relevant facts.
  - C. The Privacy Official/designee will review the results of the investigation with counsel, and will work with counsel to document the results of the investigation, and any appropriate follow-up (e.g., any necessary discipline, which would also require the involvement of Human Resources personnel and affected management).
  - D. The Privacy Official/designee will discuss the outcome of the investigation with the individual who made the complaint.
- 5. In all cases, AHS will endeavor to complete the investigation of a complaint in an expeditious manner.
  - 6. AHS will not require individuals to waive any rights to file a complaint with AHS or the Department of Health and Human Services as a condition of the provision of treatment, payment, enrollment in a health plan, or eligibility for benefits.
  - 7. AHS will document all complaints received, and their disposition, if any. AHS will retain such documentation for at least six (6) years from the date of their creation, or the date when they were last in effect, whichever is later.