# COMMUNITY MENTAL HEALTH AUTHORITY

| ADMINISTRATIVE POLICY AND PROCEDURES MANUAL | | | | |
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| **Chapter**<br>**Program Quality** | **Section**<br>**HIPAA** | **Chapter**<br>**05** | **Section**<br>**03** | **Subject**<br>**16** |
| **Subject**<br>**Complaints and Investigations** | **Authorization** | | **Approved: 04/08/03**<br>**Replaces: None** | |

Updated: October 2024; Reviewed/No Update: October 2025

**I. PURPOSE:** To establish policy and procedure regarding complaints and investigations of violations of HIPAA compliance.

**II. APPLICATION:** All programs under the authority of the Gogebic Community Mental Health Authority (GCMHA) including the members of the GCMHA Board.

**III. DEFINITIONS:** None

**IV. POLICY:** GCMHA shall investigate complaints of violations of the HIPAA Privacy Rule.

**V. PROCEDURE:** Any person may file a complaint concerning GCMHA's HIPAA policies and procedures or its compliance with those policies and procedures.

1. Complaints shall be filed with GCMHA's Privacy Officer; however, may also be filed with the U.S. Department of Health and Human Services, Office of Civil Rights Division via their address at:

   **Centralized Case Management Operations**
   **U.S. Department of Health and Human Services**
   **200 Independence Avenue, S.W.**
   **Room 509F HHH Bldg.**
   **Washington, D.C. 20201**

2. Complaints to the Office of Civil Rights may be in writing by mail (see address above), faxed to 202-619-3818, emailed to OCRComplaint@hhs.gov, **or**

   via the OCR Complaint Portal at https://ocrportal.hhs.gov/ocr/cp/wizard_cp.jsf **or**

   by calling the OCR at 800-368-1019, TDD line at 800-537-7697, and filed within 180 days of when the complainant knew, or should have known, the act or omission complained or occurred.

3. GCMHA may not intimidate, threaten, coerce, discriminate, or retaliate against any person for filing a complaint or for assisting in an investigation of a complaint.

4. Complaints received by GCMHA will be investigated by the Privacy Officer. The Privacy Officer will document all complaints received and their disposition.

**VI. REFERENCES AND LEGAL AUTHORITY:** 45 CFR Part 164 Section 530; U.S. Department of Health & Human Services-Health Information Privacy Webpage: https://www.hhs.gov/hipaa/filing-a-complaint/complaint-process/index.html?language=es

**VII. EXHIBITS:** None