

SOUTHERN HIGHLANDS COMMUNITY MENTAL HEALTH CENTER

POLICY AND PROCEDURE MANUAL

Date of Issue: 4/1/03

Section Number 531

Date Revised: 10/17/18

Policy 531 – Administrative Requirements: Complaints Process

I. PURPOSE

Southern Highlands Community Mental Health Center, in an effort to be compliant with the Privacy Rules of HIPAA's Administrative Simplification provisions, 42-CFR Part 2 and Omnibus, sets out, in this policy, the process it will establish to receive complaints from consumers.

II. POLICY

Southern Highlands Community Mental Health Center will appoint a person to receive and be responsible for complaints about:

- ◆ Privacy policies and procedures required by the Privacy Rule;
- ◆ Compliance with such policies and procedures; and
- ◆ Compliance with the privacy Rule.

All privacy complains, as defined above, received by us will be directed to this individual for proper processing and handling.

III. PROCEDURE

- A. The Privacy Notice of SHCMHC will inform consumers that they have the right to complain about our privacy practices. The Privacy Notice, in addition to informing consumers about their rights, will also list the Privacy Officer to whom complaints should be directed. The Privacy Officer will retain the original copy of every complaint.
- B. Complaints about privacy should be logged in as are all other consumer complaints and grievances. The Privacy Officer will enter the complaint in a log book maintained chronologically. The information logged should include: the date the complaint was received, name of consumer, a copy of the complaint, contact information, and a consumer number to be able to locate the complaint in the filing system. The complaint will not be logged in as received by us until it is in writing, dated, and signed by the individual. If requested, the Privacy Officer will assist the complainant in writing a complaint.

- C. The Privacy Officer will send a letter to the complainant acknowledging receipt within five (5) days of receipt of the complaint, thanking them for their assistance in strengthening our privacy practices, providing a copy of the procedures for processing the complaint, establishing the time frame for responding to the complaint, and an address for correspondence.
- D. If a consumer declines initially to put a complaint about privacy in writing they should be directed to the Privacy Office who will assist them in developing the written document. If they decline this step as well, a note documenting the consumer's dissatisfaction should be completed and sent to the Privacy Officer promptly. This information from the consumer will not be considered a complaint by the Agency. The documentation should include contact information.
- E. In both the acknowledgement letter and the response letter, the complainant will be advised of the right to complain directly to the Secretary of Health and Human Services and the contact number will be given.
- F. The Privacy Officer will review the complaint, investigate the complaint, and report the results of the investigation to the Executive Director on at least a monthly basis.