



DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE FOR CIVIL RIGHTS (OCR)
HEALTH INFORMATION PRIVACY COMPLAINT



YOUR FIRST NAME (b)(6);(b)(7)(C)
YOUR LAST NAME (b)(6);(b)(7)(C)
HOME / CELL PHONE (Please include area code) (b)(6);(b)(7)(C)
STREET ADDRESS (b)(6);(b)(7)(C)
CITY (b)(6);(b)(7)(C)
STATE (b)(6);(b)(7)(C)
ZIP (b)(6);(b)(7)(C)
E-MAIL ADDRESS (If available) (b)(6);(b)(7)(C)

Are you filing this complaint for someone else? [] Yes [X] No
If Yes, whose health information privacy rights do you believe were violated?
FIRST NAME LAST NAME

Who (or what agency or organization, e.g., provider, health plan) do you believe violated your (or someone else's) health information privacy rights or committed another violation of the Privacy Rule?
PERSON/AGENCY/ORGANIZATION
Planned Parenthood of Metropolitan New Jersey
STREET ADDRESS 560 Martin Luther King Blvd.
CITY East Orange
STATE New Jersey ZIP 07018 PHONE (Please include area code) (973) 674-4343

When do you believe that the violation of health information privacy rights occurred?
LIST DATE(S)
10/08/0015

Describe briefly what happened. How and why do you believe your (or someone else's) health information privacy rights were violated, or the privacy rule otherwise was violated? Please be as specific as possible. (Attach additional pages as needed)
I received a letter on 10/16/15 that stated that there was a problem with an abnormal pap/hpv test. This letter also had my planned parenthood file ID number on it. The problem is I was never serviced by them since 2014. This letter had no unit number on the address at which anyone in my complex could have obtained this information as it being left in the lobby, and with my address and ID number that Planned Parenthood released in hand they could portray as me. Secondly the person who actually was serviced has NO IDEA that there is a health concern that needs to be addressed and lastly, when I called they have no record or idea how protocol was not followed and my information along with misinformation about me was sent out. They also raised concern when I was instructed to destroy the letter which is the only evidence I have of this occurrence. I feel embarrassed, anxious, concerned
This field may be truncated due to size limit. See the "Allegation Description" file in the case folder.

Please sign and date this complaint. You do not need to sign if submitting this form by email because submission by email represents your signature.
SIGNATURE (b)(6);(b)(7)(C) DATE (mm/dd/yyyy) 10/29/2015

Filing a complaint with OCR is voluntary. However, without the information requested above, OCR may be unable to proceed with your complaint. We collect this information under authority of the Privacy Rule issued pursuant to the Health Insurance Portability and Accountability Act of 1996. We will use the information you provide to determine if we have jurisdiction and, if so, how we will process your complaint. Information submitted on this form is treated confidentially and is protected under the provisions of the Privacy Act of 1974. Names or other identifying information about individuals are disclosed when it is necessary for investigation of possible health information privacy violations, for internal systems operations, or for routine uses, which include disclosure of information outside the Department for purposes associated with health information privacy compliance and as permitted by law. It is illegal for a covered entity to intimidate, threaten, coerce, discriminate or retaliate against you for filing this complaint or for taking any other action to enforce your rights under the Privacy Rule. You are not required to use this form. You also may write a letter or submit a complaint electronically with the same information. To submit an electronic complaint, go to OCR's Web site at: www.hhs.gov/ocr/privacy/hipaa/complaints/index.html. To mail a complaint see reverse page for OCR Regional addresses.

I received a letter on 10/16/15 that stated that there was a problem with an abnormal pap/hpv test. This letter also had my planned parenthood file ID number on it. The problem is I was never serviced by them since 2014. This letter had no unit number on the address at which anyone in my complex could have obtained this information as it being left in the lobby, and with my address and ID number that Planned Parenthood released in hand they could portray as me. Secondly the person who actually was serviced has NO IDEA that there is a health concern that needs to be addressed and lastly, when I called they have no record or idea how protocol was not followed and my information along with misinformation about me was sent out. They also raised concern when I was instructed to destroy the letter which is the only evidence I have of this occurrence. I feel embarrassed, anxious, concerned and humiliated especially since I have no idea how many of these mistaken letters actually went out and I would like this issue addressed.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Voice - (800) 368-1019
TDD - (202) 619-3257
Fax - (202) 619-3818
<http://www.hhs.gov/ocr>

Office for Civil Rights
200 Independence Avenue, S.W.,
Room 509F
Washington, DC 20201

February 11, 2016

Privacy Officer
Planned Parenthood of Metropolitan New Jersey
560 Martin Luther King Blvd.
East Orange, NJ 07018

Re: OCR Transaction Number: 16-223418

Dear Privacy Officer:

On October 29, 2015, the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR), received a complaint alleging that Planned Parenthood of Metropolitan New Jersey, the covered entity, has violated the Federal Standards for Privacy of Individually Identifiable Health Information and/or the Security Standards for the Protection of Electronic Protected Health Information (45 C.F.R. Parts 160 and 164, Subparts A, C, and E, the Privacy and Security Rules). Specifically, the complainant, (b)(6);(b)(7)(C) [redacted] alleges that on October 16, 2015, she received a letter from the covered entity, which contained the protected health information (PHI) of another patient, under the complainant's name and identity number. This allegation could reflect a violation of 45 C.F.R. § 164.530(c).

OCR enforces the Privacy, Security, and Breach Notification Rules, and also Federal civil rights laws which prohibit discrimination in the delivery of health and human services because of race, color, national origin, disability, age, and under certain circumstances, sex and religion.

In this matter, the complainant alleges that the covered entity does not employ reasonable safeguards to prevent impermissible disclosures of protected health information (PHI). A covered entity must maintain reasonable and appropriate administrative, technical, and physical safeguards to prevent intentional or unintentional use or disclosure of PHI in violation of the Privacy Rule and to limit its incidental use and disclosure pursuant to otherwise permitted or required use or disclosure. 45 C.F.R. §164.530(c).

Pursuant to its authority under 45 C.F.R. §§ 160.304(a) and (b), OCR has determined to resolve this matter through the provision of technical assistance to Planned Parenthood of Metropolitan New Jersey. To that end, OCR has enclosed material explaining the Privacy Rule provisions related to Reasonable Safeguards.

You are encouraged to review these materials closely and to share them with your staff as part of the Health Insurance Portability and Accountability Act (HIPAA) training you provide to your workforce. You are also encouraged to assess and determine whether there may have been any noncompliance as alleged by the complainant in this matter, and, if so, to take the steps necessary to ensure such noncompliance does not occur in the future. In

addition, OCR encourages you to review the facts of this individual's complaint and provide the individual the appropriate written response swiftly if necessary to comply with the requirements of the Privacy Rule. Should OCR receive a similar allegation of noncompliance against Planned Parenthood of Metropolitan New Jersey in the future, OCR may initiate an investigation of that matter. In addition, please note that, after a period of six months has passed, OCR may initiate and conduct a compliance review of Planned Parenthood of Metropolitan New Jersey related to your compliance with the Privacy Rule's provisions related to Reasonable Safeguards.

Based on the foregoing, OCR is closing this case without further action, effective the date of this letter. OCR's determination as stated in this letter applies only to the allegations in this complaint that were reviewed by OCR.

Under the Freedom of Information Act, we may be required to release this letter and other information about this case upon request by the public. In the event OCR receives such a request, we will make every effort, as permitted by law, to protect information that identifies individuals or that, if released, could constitute a clearly unwarranted invasion of personal privacy.

If you have any questions regarding this matter, please contact Priya Sampath, Investigator, at (202) 619-2886 (Voice) or (202) 619-3257 (TDD).

Sincerely yours,

A handwritten signature in black ink that reads "Sarah C. Brown". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sarah C. Brown
Associate Deputy Director for Regional Operations

Enclosure: Reasonable Safeguards



DEPARTMENT OF HEALTH & HUMAN SERVICES

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Office for Civil Rights
200 Independence Avenue, S.W.,
Room 509F
Washington, DC 20201

February 11, 2016

(b)(6);(b)(7)(C)

Re: OCR Transaction Number: 16-223418

Dear (b)(6);(b)(7)(C):

On October 29, 2015, the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR), received your complaint alleging that Planned Parenthood of Metropolitan New Jersey, the covered entity, has violated the Federal Standards for Privacy of Individually Identifiable Health Information and/or the Security Standards for the Protection of Electronic Protected Health Information (45 C.F.R. Parts 160 and 164, Subparts A, C, and E, the Privacy and Security Rules). Specifically, you allege that on October 16, 2015, you received a letter from the covered entity, which contained the protected health information (PHI) of another patient, under your name and identity number. This allegation could reflect a violation of 45 C.F.R. § 164.530(c).

Thank you for bringing this matter to OCR's attention. Your complaint is an integral part of OCR's enforcement efforts.

OCR enforces the Privacy, Security, and Breach Notification Rules, and also Federal civil rights laws which prohibit discrimination in the delivery of health and human services because of race, color, national origin, disability, age, and under certain circumstances, sex and religion.

A covered entity must maintain reasonable and appropriate administrative, technical, and physical safeguards to prevent intentional or unintentional use or disclosure of protected health information (PHI) in violation of the Privacy Rule and to limit its incidental use and disclosure pursuant to otherwise permitted or required use or disclosure. 45 C.F.R. §164.530(c). For example, such safeguards might include shredding documents containing protected health information before discarding them, securing medical records with lock and key or pass code, and limiting access to keys or pass codes.

We have carefully reviewed your complaint against Planned Parenthood of Metropolitan New Jersey, and have determined to resolve this matter through the provision of technical assistance to Planned Parenthood of Metropolitan New Jersey. Should OCR receive a similar allegation of noncompliance against Planned Parenthood of Metropolitan New Jersey in the future, OCR may initiate an investigation of that matter.

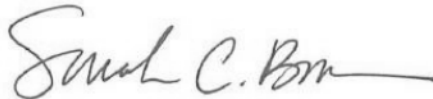
For your informational purposes, OCR has enclosed material regarding the Privacy Rule provisions related to Safeguards.

Based on the foregoing, OCR is closing this case without further action, effective the date of this letter. OCR's determination as stated in this letter applies only to the allegations in this complaint that were reviewed by OCR.

Under the Freedom of Information Act, we may be required to release this letter and other information about this case upon request by the public. In the event OCR receives such a request, we will make every effort, as permitted by law, to protect information that identifies individuals or that, if released, could constitute a clearly unwarranted invasion of personal privacy.

If you have any questions about this matter, please contact Centralized Case Management Operations at (800) 368-1019 or (202) 619-3257 (TDD).

Sincerely,

A handwritten signature in cursive script that reads "Sarah C. Brown". The signature is written in black ink and includes a horizontal line at the end.

Sarah C. Brown
Associate Deputy Director for Regional Operations

Enclosure: Reasonable Safeguards