

# Health Information Compliance Alert

## Brochure Helps You Understand Privacy and Anti-Discrimination Policy

**These reminders could help you avoid a violation.**

If you have questions about what constitutes violations against patient privacy or civil rights, you should check out the **Office of Civil Rights'** brochure, "Protecting Your Civil Rights in Health Care and Social Services and Your Health Information Privacy Rights."

The brochure provides three critical reminders that might help your health care organization avoid a costly violation:

1. Details on the OCR's enforcement of the anti-discrimination policy for organizations that receive money or other assistance from the **U.S. Department of Health and Human Services (HHS)**. Some organizations that might fall into this category include hospitals, health clinics, nursing homes, Medicaid and Medicare agencies, welfare programs, day care centers, doctors' offices, pharmacies, children's healthcare programs, alcohol and drug treatment centers, adoption agencies, and mental health centers.

2. Information on how the OCR will enforce patient privacy regulations.

3. Criteria for determining if a patient's privacy or civil rights have been violated. According to the brochure, a patient may file a discrimination complaint with the OCR if a program has done any of the following based on race, color, nationality, disability status, and (in certain cases) sex or religion:

- Denied the patient services or benefits
- Prohibited the patient from participating in a program
- Delayed services

**Caveat:** Patients may file a complaint if a healthcare organization or entity does any of the following:

Denies the patient the right to ask to see and receive a copy of health record

Fails to give the patient a notice describing how patient health information may be used

Does not protect patient health information.

**Resource:** To view the brochure, go to <http://www.hhs.gov/ocr/OCRbro20051202.pdf>.