



*Issuing Department:* Internal Audit, Compliance, and Enterprise Risk Management

*Effective/Reissue Date:* 10/5/2016  
*Current Version:* 4/1/2024

## **Complaints, No Retaliation, No Waiver of Rights**

### **Policy**

Any individual who has a complaint concerning NYU Langone Health’s HIPAA Privacy Policies and Procedures or NYU Langone Health’s compliance with those policies and procedures may file a complaint with NYU Langone Health, the Secretary of the U.S. Department of Health and Human Services, the New York State Department of Health, or other appropriate oversight agency.

NYU Langone Health will not intimidate, threaten, coerce, discriminate against, or retaliate against an individual for filing a complaint, assisting in an investigation, or for opposing any act or practice that the person believes in good faith is unlawful, so long as the manner of such opposition is reasonable and does not involve a Disclosure of Protected Health Information (“PHI”) in violation of HIPAA (see also *Compliance Concerns: Reporting, Investigating, and Protection from Retaliation Policy*).

NYU Langone Health will not require an individual to waive his or her rights granted by the HIPAA regulations as a condition to receive Treatment, Payment, enrollment in a health plan, or eligibility for benefits.

- This includes the filing of a complaint with the Secretary of the U.S. Department of Health and Human Services or any other enforcement agency regarding NYU Langone Health’s compliance with HIPAA or state privacy regulations.

### **Procedure**

If an individual wishes to file a complaint regarding patient care or services rendered with NYU Langone Health, they should be immediately directed to the appropriate Patient Relations Office (212-263-6906, main campus).

If an individual wishes to file a compliance or HIPAA related complaint, they should be directed to the Office of Internal Audit, Compliance, and Enterprise Risk Management (“IACERM”) (212-404-4079), or the Compliance Helpline (1-866-NYU-1212 or online at <https://compliance.nyu.mc.alertline.com/gcs/welcome>).

IACERM will investigate, attempt to resolve, and document the complaint and resolution of all privacy complaints in coordination with the Patient Relations Office as necessary. All formal

grievances are referred to the Patient Relations Office for a coordinated investigation and response, in compliance with the *Complaint and Grievance Policy*.

**Related Documents**

Breach Notification

Complaint and Grievance Policy

Compliance Concerns: Reporting, Investigating, and Protection from Retaliation

Compliance Concerns: What You Need to Know About Reporting & the Investigation Process

HIPAA Privacy Policies, Procedures, and Documentation

HIPAA Privacy Policies and Procedures Definitions

Mitigation of HIPAA Related Incidents

**Legal Reference**

45 C.F.R. §164.530(d)

42 C.F.R. §482.13

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This version supersedes all NYU Langone Health (as defined in this Policy) previous policies, including but not limited to NYU Hospitals Center, New York University School of Medicine, Lutheran Medical Center, and Winthrop University Hospital.