

PARTNERSHIP FOR ACHIEVING TOTAL HEALTH PeEX

Section: HIPAA		Subject: GRIEVANCE POLICY		
Controls Addressed:	Regulations	Controls		
	Security (A)	45 CFR 164.520(b)(1)(vi), 45 CFR 164.530(d)		
Applies to: <input type="checkbox"/> LPHI <input checked="" type="checkbox"/> PATH <input checked="" type="checkbox"/> Business Partner		Effective from: 8-1-2012	Revised on:	Page 1 of 4
Approved: 07/24/2012, 06/2019 Revised 7-25-23: rebranded to PeEX				

I. PURPOSE

The Grievance policy is intended to establish a process for reviewing and resolving grievances regarding PeEX and affiliated Participants.

PeEX has implemented a range of policy and technical safeguards to protect the confidentiality of Protected Health Information (PHI). PeEX has the responsibility to provide a process by which patients and Participants may complain and/or make suggestions or other comments about HIE-related practices. PeEX requires Participants to address certain complaints related to the Participant's use of PeEX as set forth in this policy.

II. SCOPE

This policy applies to PeEX and data stored within PeEX.

III. POLICY

- A. PeEX and its Participants will accept complaints pertaining to PeEX. PeEX will make this policy known through educational materials and online resources.
- B. All complaints are private, confidential and protected under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) guidelines. Access to information or documents regarding a complaint will be restricted to appropriate PeEX professional staff. Records related to complaints will be stored in a secure location either in hard copy or electronic format.
- C. Neither PeEX nor Participants will retaliate, discriminate against, intimidate, coerce, or otherwise reprise patients or patient advocates related to the filing of a complaint.

IV. PROCEDURE

The Partnership for Achieving Total Health (PATH) will take responsibility for addressing complaints related to PeEX. If the complaint is related to a Participant's use of PeEX, the Participant will be notified to address the complaint or provide the complainant with a formal complaint form to be submitted to PeEX. If the complaint is about a Participant's use of PeEX and the complainant believes it has been inadequately addressed by the Participant, then the complainant may request that PeEX facilitate resolution of the complaint. Examples of complaints related to PeEX may include:

- Complaints about data sent to PeEX (i.e., without authorization)
- Complaints about data sent by PeEX to a Participant (i.e., without authorization)
- Complaints related to information management pertaining to PeEX.

A. Submission of Complaints

1. Complaints are accepted in both electronic and physical forms. PeEX Patient Complaint Form may be accessed online via the Compliments, Comments, Concerns form or via a physical copy of PeEX Patient Complaint Form, both found on PeEX website.
2. Oral complaints received should be recorded by submitting an online form within two (2) business days. Oral complaints may be submitted by calling 1-504-301-9835.

B. Complaints Addressed to Participants

1. All Participants must assign a Compliance Officer to support an internal patient complaint process for the resolution of problems related to use of PeEX.
2. Patients may file a complaint with Participants for a complaint related to the Participant's use of PeEX using a PeEX Patient Complaint Form. In these cases, the Participant shall take action to resolve the complaint directly with the patient. Patient complaints not related to PeEX are solely the responsibility of the Participant.
3. All complaints received by a Participant shall be reviewed by the Participant Compliance Officer. A response shall be made to any privacy complaint within thirty (30) days of the date of the Participant's receipt of the complaint, absent extenuating circumstances. Under extenuating circumstances, the Participant Compliance Officer may extend this deadline as necessary, so long as a letter explaining the reason for the delay and the date that the complainant can expect a disposition on the complaint is sent to the complainant prior to the expiration of the thirty (30) day deadline. The date the response is sent shall be documented by the Participant Compliance Officer on PeEX Patient Complaint Form.
4. For any complaints that a Participant receives indicating that a breach of confidentiality related to PeEX has or may have occurred that has otherwise not been resolved to the patient's satisfaction, the Participant will take action to resolve the complaint directly with the patient and the Participant shall also report the complaint

to PeEX. In such cases, the Participant shall assure that the details of the complaint are documented on a PeEX Patient Complaint Form, including the date the complaint was received and all related actions taken by the Participant. PeEX Patient Complaint Form should be forwarded to PeEX Compliance Officer within seventy-two (72) hours.

5. If a Participant cannot resolve a patient complaint directly or if that Participant believes the complaint is in error and direct resolution is not possible, the Participant shall assure that the patient provides the details of the complaint on a PeEX Patient Complaint Form, including the date the complaint was received and all related actions taken by the Participant. The Participant shall forward PeEX Patient Complaint Form to PeEX Compliance Officer and such complaint will be considered an unresolved complaint to which PeEX would respond.
6. Copies of all written PeEX Patient Complaint Forms shall be maintained by the Participant for seven (7) years.

C. . Complaints Addressed to PeEX

1. If a patient has complained to the Participant without satisfaction, the patient will be directed to file the complaint with PeEX.
2. If patients have a complaint about data submitted to PeEX improperly, the patient will be directed to file the complaint with PeEX.
3. If the patient does not wish to complain to the Participant, the patient may address a concern directly to PeEX. Complaints of this nature may be directed by patients, patient family members and patient advocates to PeEX for review and resolution. PeEX will notify the Participant of the nature of the complaint if it addresses actions by the Participant.
4. If a patient's complaint is related to PeEX and not related to a Participant, the patient should address their concerns directly to PeEX. Complaints of this nature may be directed by patients, patient family members and patient advocates to PeEX for review and resolution.

D. Review of Complaints by PeEX

1. PeEX has appointed a Compliance Officer and maintains a standing committee for consultation and review of complaints.
2. Any patient wishing to file a complaint with PeEX shall, whenever possible, be directed to an electronic or physical PeEX Patient Complaint Form upon which their complaint, suggestions, and/or other comments may be fully explained. Blank

3. Any privacy complaint made verbally to PeLEX shall be documented and logged by PeLEX Compliance Officer. Such documentation shall include: the date the complaint was made; the name and identity of the complainant; any suggestions made by the complainant; and the circumstances surrounding the complaint, including the identity of any individuals who are the subject of the complaint.
4. All complaints received by PeLEX, whether written or oral, shall be reviewed by PeLEX Compliance Officer. A response shall be made to any unresolved privacy complaint within thirty (30) days of the date of PeLEX's receipt of the complaint, absent extenuating circumstances. Under extenuating circumstances, the Compliance Officer may extend this deadline as necessary, so long as a letter explaining the reason for the delay and the date that the complainant can expect a disposition on the complaint is sent to the complainant prior to the expiration of the thirty (30) day deadline. The date the response is sent shall be documented by the Compliance Officer.
5. Any complaint regarding a breach of confidentiality shall trigger the Breach Notification Policy.
6. Copies of all written PeLEX Patient Complaint Forms shall be maintained by PeLEX for seven (7) years.
7. The disposition of a complaint shall be documented by PeLEX Compliance Officer. Whenever a verbal complaint is received and documented, the disposition of the complaint, as well as the date of the response, shall also be documented.