



## Investigation of PHI Complaints and Violations Procedure (BEN-P018)

### 1.0 SCOPE:

- 1.1 This procedure describes the process in which RM investigates PHI complaints and/or violations of PHI at the Washoe County School District.

The online version of this procedure is official. Therefore, all printed versions of this document are unofficial copies.

### 2.0 RESPONSIBILITY:

- 2.1 Risk Manager / Privacy Officer

### 3.0 APPROVAL AUTHORITY:

- 3.1 Risk Manager

(Approval signature on file)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### 4.0 DEFINITIONS:

- 4.1 RM – Risk Management
- 4.2 PHI – Protected Health Information
- 4.3 PO – Privacy Officer

### 5.0 PROCEDURE:

- 5.1 A person with a PHI complaint will be instructed to submit the complaint in writing to the Privacy Officer or they may take the complaint directly to the Secretary of the US Department of Health and Human Services.
  - 5.1.1 WCSD will not penalize or in any other way retaliate against any individual filing a PHI complaint.
- 5.2 RM is in receipt of a PHI complaint.
- 5.3 The PO will investigate the PHI complaint, and will document interviewee(s) and appropriate files.
  - 5.3.1 If the PO's findings are not a PHI violation, the PO will notify the person who made the initial complaint of the findings.
  - 5.3.2 If the PO's findings are a PHI violation, the PO notifies legal counsel of the violation and recommended corrective action.
  - 5.3.3 The PO will notify the person who made the initial complaint that a corrective action will be taking place.
- 5.4 If an employee fails to comply with the provisions, use, or disclosure of PHI the district shall impose reasonable sanctions to the employee to end such non-compliance.
- 5.5 The PO will fill out the corrective action form CSI-F001.
  - 5.5.1 The PO will follow CSI-P003 Corrective Action Procedure.

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5.5.2 If disciplinary action is needed with an employee of WCSD, the Assistant Superintendent in Human Resources will be advised.

**6.0 ASSOCIATED DOCUMENTS:**

- 6.1 BEN-M001 – Plan Amendment
- 6.2 CSI-P003 – Corrective Action Procedure
- 6.3 CSI-F001 – Corrective Action Form

**7.0 RECORD RETENTION TABLE:**

<u>Identification</u>	<u>Storage</u>	<u>Retention</u>	<u>Disposition</u>	<u>Protection</u>
Documentation on Investigation	RM Files	99 years	Discard as desired	Locked Files

**8.0 REVISION HISTORY:**

<u>Date:</u>	<u>Rev.</u>	<u>Description of Revision:</u>
6/2/05	A	Initial release

**\*\*\* End of procedure \*\*\***