



DEPARTMENT OF HEALTH & HUMAN SERVICES

OFFICE OF THE SECRETARY

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Office for Civil Rights, Region III
150 S. Independence Mall West
Public Ledger Building, Suite 372
Philadelphia, PA 19106-3499

Reference: 174206
Investigator: Amy Kaplan
Contact Telephone: 215-861-4446

August 5, 2014

(b)(6),(b)(7)(C)

Dear

(b)(6),(b)(7)(C)

On January 10, 2014, the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR), Region III received your complaint alleging that Planned Parenthood in Trexlertown, PA has violated the Federal Standards for Privacy of Individually Identifiable Health Information (45 C.F.R. Parts 160 and 164, Subparts A and E, the Privacy Rule). Specifically, you allege that on November 3, 2013, you received a bill containing an additional bill for another patient. This allegation could reflect a violation of 45 C.F.R. §§ 164.502(a) regarding impermissible disclosures, 164.530(c), regarding safeguards and or, 45 C.F.R. §164.408, regarding breach of unsecured protected health information.

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

OCR enforces the Privacy, Security, and Breach Notification Rules, and also enforces 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.

The Privacy Rule allows health care providers and health plans to share protected health information (PHI) for permitted purposes using the mail or fax, as they use reasonable and appropriate administrative, technical, and physical safeguards to protect the privacy of the PHI. See 45 C.F.R. § 164.502(a). These safeguards may vary depending on the mode of communication used. For example, when faxing PHI to a telephone number that is not used regularly, a reasonable safeguard may involve a covered entity first confirming the fax number with the intended recipient of the fax. In the case of this complaint, it would include double checking the insurance provider of the patient before submitting the bill.

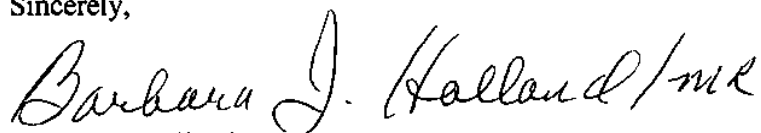
We have carefully reviewed your complaint against Planned Parenthood and have determined to resolve this matter informally through the provision of technical assistance to the entity. Should OCR receive a similar allegation of noncompliance against this entity in the future, OCR may initiate a formal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

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 Amy Kaplan, Investigator, at (215) 861-4446(Voice) or (215) 861-4440 (TDD).

Sincerely,

A handwritten signature in cursive script that reads "Barbara J. Holland/mk". The signature is written in black ink and is positioned to the right of the typed name.

Barbara J. Holland
Regional Manager