

Health Insurance Portability and Accountability Act (HIPAA):

Entities that must follow the Health Insurance Portability and Accountability Act (HIPAA) regulations are called "covered entities". These include:

- **Health plans:** Health insurance companies, HMOs, Medicare, Medicaid, and other government programs that pay for health care.
- **Health care providers:** Most doctors, clinics, hospitals, psychologists, chiropractors, nursing homes, pharmacies, and dentists who electronically transmit health information.
- **Health care clearinghouses:** Organizations that process nonstandard health information into a standard format or data content.

Researchers who are also health care providers and electronically transmit health information are also covered entities.

Covered entities can be institutions, organizations, or persons.

Business associates are individuals or entities that perform services for a covered entity that involve the use or disclosure of protected health information (PHI). Covered entities must have a written business associate contract with them.

If you believe that a HIPAA-covered entity or its business associate violated your (or someone else's) health information privacy rights or committed another violation of the Privacy, Security, or Breach Notification Rules, you may file a complaint with the Office for Civil Rights (OCR). See below for how to issue a HIPAA complaint through the OCR.

Office for Civil Rights (OCR):

The Office for Civil Rights (OCR) enforces federal civil rights laws to ensure equal access and opportunities:

- **Education:** The OCR enforces laws that prohibit discrimination in schools and programs that receive federal funds. They also collect data from public schools to enforce these laws.
- **Health and Human Services:** The OCR enforces laws that protect people's rights to nondiscrimination, religious freedom, and health information privacy.
- **Department of the Interior:** The OCR enforces laws that prohibit discrimination based on race, color, national origin, age, disability, and sex.

The OCR also provides guidance to educational institutions, conducts investigations into sexual violence and shared ancestry, and collects civil rights data.

Entities covered by the OCR include:

- State and local government agencies responsible for administering health care
- State and local government income assistance and human service agencies
- Hospitals
- Medicaid and Medicare providers
- Physicians and other health care professionals in private practice with patients assisted by Medicaid
- Family health centers
- Community mental health centers
- Alcohol and drug treatment centers
- Nursing homes
- Foster care homes
- Public and private adoption and foster care agencies
- Day care centers
- Senior citizen centers
- Nutrition programs
- Any entity established under the Affordable Care Act
- Health insurance plans or companies
- Health Maintenance Organizations (HMOs)
- Pharmacies
- Homeless shelters
- Health researchers

You can file a health-care related complaint with the OCR if you believe that a covered entity has discriminated against you or violated your civil rights.

- **Online:** Submitting an electronic complaint at www.hhs.gov/ocr/privacy/hipaa/complaints/index.html
- **By mail:** Sending a completed complaint and consent form to:

Centralized Case Management Operations

U.S. Department of Health and Human Services

200 Independence Avenue, S.W.

Room 509F HHH Bldg.

Washington, D.C. 20201

- **By email:** Sending an email to OCRCComplaint@hhs.gov
- **By phone:** Calling 1-800-368-1019 toll-free to request a complaint form

Federal Trade Commission (FTC):

The FTC's mission is to protect the public from unfair or deceptive business practices and unfair methods of competition. The FTC enforces this mission through: law enforcement, advocacy, research, and education.

The Federal Trade Commission (FTC) regulates a wide range of entities, including:

- **For-profit entities:** Entities like mortgage companies, creditors, debt collectors, and mortgage brokers.
- **Industries:** Alcohol, appliances, automobiles, clothing and textiles, finance, franchises, funerals, and human resources.
- **Dietary supplements:** Advertising of dietary supplements, including issuing guidelines for the industry.
- **Nonprofit entities:** Enforcement of the Clayton Act against nonprofit entities, such as by challenging anticompetitive mergers.

The FTC's authority does not extend to:

- Banks
- Savings and loan institutions
- Federal credit unions
- Insurance companies
- Transportation and communications common carriers
- Air carriers

How to file a complaint:

1. Visit [ReportFraud.ftc.gov](https://www.reportfraud.ftc.gov):

Go to the FTC's website dedicated to reporting fraud, scams, and bad business practices.

