



## Oklahoma State University

<b>Title: Refraining from Intimidation or Retaliation</b>	<b>Policy #: ENF-00.03</b>
<b>Category: HIPAA Compliance</b>	<b>Authority: 45 CFR § HIPAA SECTION: 160.316</b>
<b>Standard: Compliance and Investigations</b>	<b>Responsibility: Health Care Components</b>
<b>Effective Date: 4/14/2003</b>	<b>Page 1 of 1</b>
<b>Approved By: OSU Legal Counsel</b>	<b>Revised: 7/1/2013</b>

### **PURPOSE:**

To establish that any individual or component of OSU may not take retaliatory actions against an individual exercising their rights under HIPAA.

### **POLICY:**

OSU and all of its components, employees, staff, physicians, agents, etc. shall not intimidate, or retaliate in any form, against any person(s) for exercising their rights under the Health Insurance Portability and Accountability Act (HIPAA).

### **PROCEDURE:**

OSU and any of its components or agents may not threaten, intimidate, coerce, harass, discriminate against, or take any other retaliatory action against any individual or other person for: *§160.316*

- Filing a complaint under §160.306 (Complaints to the Secretary); *§160.316(a)*
- Testifying, assisting, or participating in an investigation, compliance review, proceeding, or hearing as defined by the HIPAA Enforcement Rule; *§160.316(b)*
- Opposing any act or practice made unlawful by the Enforcement Rule, provided the individual or person has a good faith belief that the practice opposed is unlawful, and the manner of opposition is reasonable and does not involve a disclosure of PHI that is in violation of the HIPAA Privacy Rule. *§160.316(c)*