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## OCR Settles Fourteenth Investigation in HIPAA Right of Access Initiative

The Office for Civil Rights (OCR) at the U.S. Department of Health and Human Services announces its fourteenth settlement of an enforcement action in its HIPAA Right of Access Initiative. OCR announced this initiative as an enforcement priority in 2019 to support individuals' right to timely access their health records at a reasonable cost under the HIPAA Privacy Rule.

Banner Health, on behalf of the Banner Health affiliated covered entities (Banner Health ACE), has agreed to take corrective actions and pay \$200,000 to settle potential violations of the HIPAA Privacy Rule's right of access standard. Banner Health is a non-profit health system based in Phoenix, Arizona. Banner Health operates 30 hospitals and numerous primary care, urgent care, and specialty care facilities and is one of the largest health care systems in the United States.

OCR received two complaints filed against Banner Health ACE entities alleging violations of the HIPAA Right of Access standard. The first complaint alleged that the individual requested access to her medical records in December 2017, and did not receive the records until May 2018. The second complaint alleged that the individual requested access to an electronic copy of his records in September 2019, and the records were not sent until February 2020. OCR's investigations determined that Banner Health ACE entities' failure to provide timely access to the requested medical records were potential violations of the HIPAA right of access standard.

"This first resolution of the year signals that our Right of Access Initiative is still going strong and that providers of all sizes need to respect the right of patients to have timely access to their medical records," said OCR Director Roger Severino.

In addition to the monetary settlement, Banner Health will undertake a corrective action plan that includes two years of monitoring. A copy of the resolution agreement and corrective action plan may be found at <https://www.hhs.gov/sites/default/files/banner-racap.pdf> - PDF\*.

\* People using assistive technology may not be able to fully access information in this file. For assistance, contact the HHS Office for Civil Rights at (800) 368-1019, TDD toll-free: (800) 537-7697, or by emailing [OCRMail@hhs.gov](mailto:OCRMail@hhs.gov).

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