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## OCR Settles Nineteenth 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 nineteenth settlement of an enforcement action in its HIPAA Right of Access Initiative. OCR announced this initiative to support individuals' right to timely access their health records at a reasonable cost under the HIPAA Privacy Rule.

The Diabetes, Endocrinology & Lipidology Center, Inc. ("DELC") has agreed to take corrective actions and pay \$5,000 to settle a potential violation of the HIPAA Privacy Rule's right of access standard. DELC is a West Virginia based healthcare provider that provides treatment for Endocrine disorders.

In early August 2019, a complaint was filed with OCR alleging that DELC failed to take timely action in response to a parent's records access request made in July 2019, for a copy of her minor child's protected health information. OCR initiated an investigation and determined that DELC's failure to provide timely access to the requested medical records was a potential violation of the HIPAA right of access standard. As a result of OCR's investigation, DELC provided the requested records in May 2021, nearly two years after the parent's request.

"It should not take a federal investigation before a HIPAA covered entity provides a parent with access to their child's medical records," said Acting OCR Director Robinsue Frohboese. "Covered entities owe it to their patients to provide timely access to medical records."

In addition to the monetary settlement, DELC will undertake a corrective action plan that includes two (2) years of monitoring. A copy of the resolution agreement and corrective action plan may be found at <https://www.hhs.gov/sites/default/files/delc-ra-cap.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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