



DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE FOR CIVIL RIGHTS (OCR)

Form Approved: OMB No. 0990-0269.
See OMB Statement on Reverse.



HEALTH INFORMATION PRIVACY COMPLAINT

YOUR FIRST NAME Robert		YOUR LAST NAME krzys	
HOME PHONE (Please include area code) (860) 379-9694		WORK PHONE (Please include area code) (860) 379-5900	
STREET ADDRESS 62 Prospect Street, P.O.Box 207		CITY New Hartford	
STATE CT	ZIP 06057	E-MAIL ADDRESS (If available) krzysrobert@msn.com	

Are you filing this complaint for someone else? Yes No
If Yes, whose health information privacy rights do you believe were violated?

FIRST NAME
State Employees Bargaining Agent Coalition

LAST NAME

Who (or what agency or organization, e.g., provider, health plan) do you believe violated your (or someone else's) health information privacy rights or committed another violation of the Privacy Rule?

PERSON / AGENCY / ORGANIZATION

Hartford Hospital

STREET ADDRESS 80 Seymour Street		CITY Hartford
STATE CT	ZIP 06106	PHONE (Please include area code) 860 545-5000

When do you believe that the violation of health information privacy rights occurred?

LIST DATE(S) September 15, 2010-September 24, 2010

Describe briefly what happened. How and why do you believe your (or someone else's) health information privacy rights were violated, or the privacy rule otherwise was violated? Please be as specific as possible. (Attach additional pages as needed)

See Attached

Please sign and date this complaint. You do not need to sign if submitting this form by email because submission by email represents your signature.

SIGNATURE

Robert J. Krzys

DATE 10/19/2010

Filing a complaint with OCR is voluntary. However, without the information requested above, OCR may be unable to proceed with your complaint. We collect this information under authority of the Privacy Rule issued pursuant to the Health Insurance Portability and Accountability Act of 1996. We will use the information you provide to determine if we have jurisdiction and, if so, how we will process your complaint. Information submitted on this form is treated confidentially and is protected under the provisions of the Privacy Act of 1974. Names or other identifying information about individuals are disclosed when it is necessary for investigation of possible health information privacy violations, for internal systems operations, or for routine uses, which include disclosure of information outside the Department for purposes associated with health information privacy compliance and as permitted by law. It is illegal for a covered entity to intimidate, threaten, coerce, discriminate or retaliate against you for filing this complaint or for taking any other action to enforce your rights under the Privacy Rule. You are not required to use this form. You also may write a letter or submit a complaint electronically with the same information. To submit an electronic complaint, go to OCR's Web site at: www.hhs.gov/ocr/privacy/howtofile.html. To mail a complaint see reverse page for OCR Regional addresses.

The remaining information on this form is optional. Failure to answer these voluntary questions will not affect OCR's decision to process your complaint.

Do you need special accommodations for OCR to communicate with you about this complaint? (Check all that apply)

- Braille
 Large Print
 Cassette tape
 Computer diskette
 Electronic mail
 TDD
 Sign language interpreter (specify language): _____
 Foreign language interpreter (specify language): _____
 Other: _____

If we cannot reach you directly, is there someone we can contact to help us reach you?

FIRST NAME		LAST NAME	
HOME PHONE (Please include area code)		WORK PHONE (Please include area code)	
STREET ADDRESS			CITY
STATE	ZIP	E-MAIL ADDRESS (If available)	

Have you filed your complaint anywhere else? If so, please provide the following. (Attach additional pages as needed)
 PERSON / AGENCY / ORGANIZATION / COURT NAME(S)

DATE(S) FILED	CASE NUMBER(S) (If known)
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To help us better serve the public, please provide the following information for the person you believe had their health information privacy rights violated (you or the person on whose behalf you are filing).

- ETHNICITY (select one) RACE (select one or more)
 Hispanic or Latino American Indian or Alaska Native Asian Native Hawaiian or Other Pacific Islander
 Not Hispanic or Latino Black or African American White Other (specify): _____

PRIMARY LANGUAGE SPOKEN (If other than English) _____

How did you learn about the Office for Civil Rights?

- HHS Website / Internet Search
 Family / Friend/Associate
 Religious/Community Org
 Lawyer / Legal Org
 Phone Directory
 Employer
 Fed/State / Local Gov
 Healthcare Provider / Health Plan
 Conference / OCR Brochure
 Other (specify): _____

To mail a complaint, please type or print, and return completed complaint to the OCR Regional Address based on the region where the alleged discrimination took place. If you need assistance completing this form, contact the appropriate region listed below.

Region I - CT, ME, MA, NH, RI, VT Office for Civil Rights, DHHS JFK Federal Building - Room 1875 Boston, MA 02203 (617) 565-1340; (617) 565-1343 (TDD) (617) 565-3809 FAX	Region V - IL, IN, MI, MN, OH, WI Office for Civil Rights, DHHS 233 N. Michigan Ave. - Suite 240 Chicago, IL 60601 (312) 886-2359; (312) 353-5693 (TDD) (312) 886-1807 FAX	Region IX - AZ, CA, HI, NV, AS, GU, The U.S. Affiliated Pacific Island Jurisdictions Office for Civil Rights, DHHS 90 7th Street, Suite 4-100 San Francisco, CA 94103 (415) 437-8310; (415) 437-8311 (TDD) (415) 437-8329 FAX
Region II - NJ, NY, PR, VI Office for Civil Rights, DHHS 26 Federal Plaza - Suite 3313 New York, NY 10278 (212) 264-3313; (212) 264-2355 (TDD) (212) 264-3039 FAX	Region VI - AR, LA, NM, OK, TX Office for Civil Rights, DHHS 1301 Young Street - Suite 1169 Dallas, TX 75202 (214) 767-4056; (214) 767-8940 (TDD) (214) 767-0432 FAX	
Region III - DE, DC, MD, PA, VA, WV Office for Civil Rights, DHHS 150 S. Independence Mall West - Suite 372 Philadelphia, PA 19106-3499 (215) 861-4441; (215) 861-4440 (TDD) (215) 861-4431 FAX	Region VII - IA, KS, MO, NE Office for Civil Rights, DHHS 601 East 12th Street - Room 248 Kansas City, MO 64106 (816) 426-7277; (816) 426-7065 (TDD) (816) 426-3686 FAX	
Region IV - AL, FL, GA, KY, MS, NC, SC, TN Office for Civil Rights, DHHS 61 Forsyth Street, SW. - Suite 3B70 Atlanta, GA 30303-8909 (404) 562-7886; (404) 331-2867 (TDD) (404) 562-7881 FAX	Region VIII - CO, MT, ND, SD, UT, WY Office for Civil Rights, DHHS 1961 Stout Street - Room 1426 Denver, CO 80294 (303) 844-2024; (303) 844-3439 (TDD) (303) 844-2025 FAX	Region X - AK, ID, OR, WA Office for Civil Rights, DHHS 2201 Sixth Avenue - Mail Stop RX-11 Seattle, WA 98121 (206) 615-2290; (206) 615-2296 (TDD) (206) 615-2297 FAX

Burden Statement

Public reporting burden for the collection of information on this complaint form is estimated to average 45 minutes per response, including the time for reviewing instructions, gathering the data needed and entering and reviewing the information on the completed complaint form. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: HHS/OS Reports Clearance Officer, Office of Information Resources Management, 200 Independence Ave. S.W., Room 531H, Washington, D.C. 20201.

TO ACCOMPANY HEALTH INFORMATION PRIVACY COMPLAINT

Hartford Hospital and its affiliate Windham Hospital are currently attempting to renegotiate their reimbursement arrangement with Anthem Blue Cross/Blue Shield of Connecticut, which administers health benefits for approximately 170,000 active and retired State employees and their dependents. The negotiations have been highly contentious. Hartford Hospital has taken out electronic and print advertisements providing the telephone number of Anthem's president and encouraging participants to urge him to accede to Hartford Hospital's demands.

On or about September 21, 2010, Hartford Hospital sent letters to State of Connecticut employees. (See two attached examples.) On September 24, 2010, representatives of Hartford Hospital telephoned an active State employee and union member to inform her that she might be unable to continue treatment at Hartford Hospital unless Anthem signed a new agreement. The caller urged this employee, who is currently receiving outpatient chemotherapy at the hospital, to call Anthem's president to complain about the ongoing negotiations so that she could continue to receive care at Hartford Hospital. The employee reported this contact to her employer, the Office of the State Comptroller.

Hartford Hospital is using protected health information—including records of recent treatment—to target critically ill patients, all for the apparent purpose of engendering fear and manipulating them to take up its "cause" against Anthem. This cynical abuse of patient privacy rights violates the letter and spirit of HIPAA.



COMPLAINANT CONSENT FORM

The Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) has the authority to collect and receive material and information about you, including personnel and medical records, which are relevant to its investigation of your complaint.

To investigate your complaint, OCR may need to reveal your identity or identifying information about you to persons at the entity or agency under investigation or to other persons, agencies, or entities.

The Privacy Act of 1974 protects certain federal records that contain personally identifiable information about you and, with your consent, allows OCR to use your name or other personal information, if necessary, to investigate your complaint.

Consent is voluntary, and it is not always needed in order to investigate your complaint; however, failure to give consent is likely to impede the investigation of your complaint and may result in the closure of your case.

Additionally, OCR may disclose information, including medical records and other personal information, which it has gathered during the course of its investigation in order to comply with a request under the Freedom of Information Act (FOIA) and may refer your complaint to another appropriate agency.

Under FOIA, OCR may be required to release information regarding the investigation of your complaint; however, 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.

Please read and review the documents entitled, *Protecting Personal Information in Complaint Investigations* and *Notice to Complainants and Other Individuals Asked to Supply Information to the Office for Civil Rights* for further information regarding how OCR may obtain, use, and disclose your information while investigating your complaint.

In order to expedite the investigation of your complaint if it is accepted by OCR, please read, sign, and return one copy of this consent form to OCR with your complaint. Please make one copy for your records.

- As a complainant, I understand that in the course of the investigation of my complaint it may become necessary for OCR to reveal my identity or identifying information about me to persons at the entity or agency under investigation or to other persons, agencies, or entities.



- I am also aware of the obligations of OCR to honor requests under the Freedom of Information Act (FOIA). I understand that it may be necessary for OCR to disclose information, including personally identifying information, which it has gathered as part of its investigation of my complaint.
- In addition, I understand that as a complainant I am covered by the Department of Health and Human Services' (HHS) regulations which protect any individual from being intimidated, threatened, coerced, retaliated against, or discriminated against because he/she has made a complaint, testified, assisted, or participated in any manner in any mediation, investigation, hearing, proceeding, or other part of HHS' investigation, conciliation, or enforcement process.

After reading the above information, please check ONLY ONE of the following boxes:

CONSENT: I have read, understand, and agree to the above and give permission to OCR to reveal my identity or identifying information about me in my case file to persons at the entity or agency under investigation or to other relevant persons, agencies, or entities during any part of HHS' investigation, conciliation, or enforcement process.

CONSENT DENIED: I have read and I understand the above and do not give permission to OCR to reveal my identity or identifying information about me. I understand that this denial of consent is likely to impede the investigation of my complaint and may result in closure of the investigation.

Signature: Robert J. Krzys

Date: October 19, 2010

**Please sign and date this complaint. You do not need to sign if submitting this form by email because submission by email represents your signature.*

Name (Please type or print): Robert J. Krzys, on behalf of State Employees Bargaining Agent Coalition(SEBAC)

Address: 62 Prospect Street, P.O.Box 207

Telephone Number: 860 379 5900

Hartford Hospital
Anthem Negotiations
Letter to Patients
FINAL 9.15.10

DATE

MAILNAME
ADDRESS
CITY, STATE ZIP

Dear SALTUATION,

I am writing to inform you of a potential change in our relationship with Anthem Blue Cross of Connecticut. On Oct. 31, 2010, our contract with Anthem ends, which means Hartford Hospital will be out of network with Anthem unless a new agreement is in place before then. We are in the midst of negotiations with Anthem and want to make sure you have the latest information and understand how your access to care at our hospital may be affected. We respect and appreciate that these negotiations could put our patients in an awkward situation. We are doing everything in our power to resolve this quickly.

In 2008, Hartford Hospital was in the bottom quartile for Connecticut hospitals for private insurance payment rates, even though we treat some of the most complex cases in the state. In other words, we're a top-quality hospital and we're not paid as well as 75 percent of the state's other hospitals. Even with the adjustment we need in our new contract with Anthem, we still will be paid less than many other academic medical centers in the Northeast.

Our goal with the current Anthem negotiations is to secure a new contract for Hartford Hospital with fair and reasonable rates from Anthem. Right now, there is a gap in payment rates. Anthem rates are still behind other payors, and even small percentage increases from big insurance companies mean a lot. In fact, a 1 percent increase in a contract would create funding for 16 registered nurses, or a CT scanner, or 60 ICU beds. For Hartford Hospital, this contract is important for enhancing our ability to provide critical services such as trauma, transplant and emergency care and for funding our LifeStar program - which no other hospital in our area provides. Essentially, we are paid less by Anthem, yet provide more services than other hospitals.

There is a possibility we may not reach an agreement with Anthem. If we don't reach an agreement by Oct. 31, Hartford Hospital will be considered out of network for Anthem members. We met with Anthem this week to discuss how your care might be affected if we don't have an agreement as of Nov. 1, 2010. In this meeting, we offered to do whatever we can to make it as easy as possible for our patients to receive care with us. Anthem refused every offer. It appears from our conversation that Anthem plans to do everything possible to make it difficult for you to receive care with Hartford Hospital. We are in the process of putting together more information that explains how your care will be handled by Anthem if we are out of network on Nov. 1. We will be sure to keep you updated with the important information you need. Whatever the outcome, patients can always receive care through our emergency room for emergency care. This is a covered benefit in every health benefit plan whether we're in network or not.

We have about 45 days to reach a contract agreement. Right now, negotiations are stalled, making it difficult to predict the likelihood of an agreement being reached before the contract ends on Oct. 31, 2010. We presented Anthem with a revised, comprehensive offer in mid-August, and we have heard very little in response. Discussions have stopped, and no forward movement has been made.

Hartford Hospital
Anthem Negotiations
Letter to Patients
FINAL 9.15.10

Anthem needs to hear from members like you. You pay expensive premiums each month and expect that your care will be covered at the hospital and with the doctor of your choice. I encourage you to please get involved today. Here are some things you can do:

1. Talk with your employer about offering a second insurance option during open enrollment – one that includes our hospital in its network.
2. If you can, consider another insurance option – one that guarantees you will have access to our hospital.
3. Contact David Fusco, president at Anthem Blue Cross Blue Shield of Connecticut, and tell him to continue good-faith negotiations with Hartford Hospital.

David Fusco
President
Anthem BCBS of Connecticut
370 Bassett Road
North Haven, CT 06473

Phone: 203-234-5057
Email: david.fusco@anthem.com

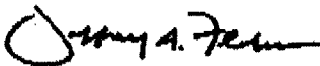
For the last 18 months, we've been working on our Solid Foundation Strategy to further our commitment to quality healthcare through cost-saving initiatives. We're focused on process improvement, creating new economies of scale, and negotiating new contracts with private insurance companies. Fair contracts from insurance companies are a key piece of the Solid Foundation Strategy and are extremely important in our ability to better serve you and all our patients, continue with our hospital's mission, recruit and retain the best doctors and nurses, provide programs that meet the needs of our community, and invest in facilities and needed technology and equipment.

More information about our Solid Foundation initiative is available on our Web site at www.solidfoundationforcare.org. You also may sign up on the Web site as a supporter of Hartford Hospital and get updated information on our negotiations with Anthem.

If you could also please take a moment to fill out and return the postage-paid card included with this letter, we will be sure to keep you updated on our negotiations. In the meantime, if you have any questions or concerns, please don't hesitate to call us at 860-760-6747.

Thank you for your support as we continue to work toward establishing a Solid Foundation that enables us to provide high-quality care and service to you, all our patients and our community.

Sincerely,



Jeffrey A. Flaks
Executive Vice President and COO
Hartford Hospital & Hartford Healthcare



80 SEYMOUR STREET
P.O. BOX 5037
HARTFORD, CT 06102-5037
860/545-5000

September 21, 2010

South Windsor, CT 06074

Dear

I am writing to inform you of a potential change in our relationship with Anthem Blue Cross of Connecticut. On Oct. 31, 2010, our contract with Anthem ends, which means Hartford Hospital will be out of network with Anthem unless a new agreement is in place before then. We are in the midst of negotiations with Anthem and want to make sure you have the latest information and understand how your access to care at our hospital may be affected. We respect and appreciate that these negotiations could put our patients in an awkward situation. We are doing everything in our power to resolve this quickly.

Please know that your access to care with your physician is not affected by these negotiations. All doctors affiliated with Hartford Hospital, including Hartford Medical Group, are not directly involved in these negotiations. This means you can continue your care with your doctor the same way you always have; nothing will change.

In 2008, Hartford Hospital was in the bottom quartile for Connecticut hospitals for private insurance payment rates, even though we treat some of the most complex cases in the state. In other words, we're a top-quality hospital and we're not paid as well as 75 percent of the state's other hospitals. Even with the adjustment we need in our new contract with Anthem, we still will be paid less than many other academic medical centers in the Northeast.

Our goal with the current Anthem negotiations is to secure a new contract for Hartford Hospital with fair and reasonable rates from Anthem. Right now, there is a gap in payment rates. Anthem rates are still behind other payors, and even small percentage increases from big insurance companies mean a lot. In fact, a 1 percent increase in a contract would create funding for 16 registered nurses, or a CT scanner, or 60 ICU beds. For Hartford Hospital, this contract is important for enhancing our ability to provide critical services such as trauma, transplant and emergency care and for funding our LifeStar program – which no other hospital in our area provides. Essentially, we are paid less by Anthem, yet provide more services than other hospitals.

There is a possibility we may not reach an agreement with Anthem. If we don't reach an agreement by Oct. 31, Hartford Hospital will be considered out of network for Anthem members. We met with Anthem this week to discuss how your care might be affected if we don't have an agreement as of Nov. 1, 2010. In this meeting, we offered to do whatever we can to make it as easy as possible for our patients to receive care with us. Anthem refused every offer. It appears from our conversation that Anthem plans to do everything possible to make it difficult for you to receive care with Hartford Hospital. We are in the process of putting together more information that explains how your care will be handled by Anthem if we are out of network on Nov. 1. We will be sure to keep you updated with the important information you need. Whatever the outcome, patients can always receive care through our emergency room for emergency care. This is a covered benefit in every health benefit plan whether we're in network or not.

We have about 45 days to reach a contract agreement. Right now, negotiations are stalled, making it difficult to predict the likelihood of an agreement being reached before the contract ends on Oct. 31, 2010. We presented Anthem with a revised, comprehensive offer in mid-August, and we have heard very little in response. Discussions have stopped, and no forward movement has been made.

Anthem needs to hear from members like you. You pay expensive premiums each month and expect that your care will be covered at the hospital and with the doctor of your choice. I encourage you to please get involved today. Here are some things you can do:

1. Talk with your employer about offering a second insurance option during open enrollment – one that includes our hospital in its network.
2. If you can, consider another insurance option – one that guarantees you will have access to our hospital.
3. Contact David Fusco, president at Anthem Blue Cross Blue Shield of Connecticut, and tell him to continue good-faith negotiations with Hartford Hospital.

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370 Bassett Road
North Haven, CT 06473

Phone: 203-234-5057
Email: david.fusco@anthem.com

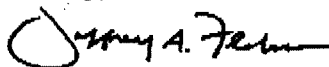
For the last 18 months, we've been working on our Solid Foundation Strategy to further our commitment to quality healthcare through cost-saving initiatives. We're focused on process improvement, creating new economies of scale, and negotiating new contracts with private insurance companies. Fair contracts from insurance companies are a key piece of the Solid Foundation Strategy and are extremely important in our ability to better serve you and all our patients, continue with our hospital's mission, recruit and retain the best doctors and nurses, provide programs that meet the needs of our community, and invest in facilities and needed technology and equipment.

More information about our Solid Foundation initiative is available on our Web site at www.solidfoundationforcare.org. You also may sign up on the Web site as a supporter of Hartford Hospital and get updated information on our negotiations with Anthem.

If you could also please take a moment to fill out and return the postage-paid card included with this letter, we will be sure to keep you updated on our negotiations. In the meantime, if you have any questions or concerns, please don't hesitate to call us at 860-760-6747.

Thank you for your support as we continue to work toward establishing a Solid Foundation that enables us to provide high-quality care and service to you, all our patients and our community.

Sincerely,



Jeffrey A. Flaks
Executive Vice President and COO
Hartford Hospital & Hartford Healthcare



HARTFORD HEALTHCARE

September 18, 2010

North Windham, CT 06256-1407

Dear :

I am writing to inform you of a potential change in our relationship with Anthem Blue Cross of Connecticut. On Oct. 31, 2010, our contract with Anthem ends, which means Windham Hospital will be out-of-network with Anthem unless a new agreement is in place before then. We are in the midst of negotiations with Anthem and want to make sure you have the latest information and understand how your access to care at our hospital may be affected. We respect and appreciate that these negotiations could put our patients in an awkward situation. We are doing everything in our power to resolve this quickly.

In 2009, Windham Hospital was in the bottom quartile for Connecticut hospitals when it came to private insurance payment rates, even though we are a Medicare-dependent hospital and provide access to quality care for patients close to home. In other words, we're a top-quality hospital and we're not paid as well as 75 percent of the state's other hospitals. Even with the adjustment we need in our new contract with Anthem, we still will be paid less than many other comparable hospitals in Connecticut.

Our goal with the current Anthem negotiations is to secure a new contract for Windham Hospital, with fair and reasonable rates from Anthem. Right now, there is gap in payment rates. Anthem rates are still behind other payors, and even small percentage increases from big insurance companies mean a lot. In fact, a 1 percent increase would be significant and would create funds to pay for 16 registered nurses, or a CT scanner, or the purchase of 60 ICU beds. Hartford Hospital also is negotiating with Anthem. These negotiations are important for enhancing the hospital's ability to provide critical services such as trauma, transplant and emergency care and for funding the LifeStar program -- which no other hospital in our area provides. Essentially, both hospitals are paid less by Anthem, yet provide more services than other hospitals.

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112 Mansfield Avenue • Willimantic CT 06226
Main Phone 860.456.9116 • Website www.windhamhospital.org

Anthem needs to hear from members like you. You pay expensive premiums each month and you expect that your care will be covered at the hospital and with the doctor of your choice. I encourage you to please get involved today. Here are some things you can do:

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Thank you for your support as we continue to work toward establishing a Solid Foundation that enables us to provide high-quality care and service to you, all our patients and our community.

Sincerely,



Dick Brvenik
President, CEO
Windham Hospital