

# HHS OCR Complaint

When you reach Day 31 with no records and no written extension, you can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights. The form is online and free. This guide tells you what to have ready before you open it.

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## Where to file

Online (the fastest path):

[ocrportal.hhs.gov/ocr/smartscreen/main.jsf](https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf)

Or by mail to your regional OCR office:

[www.hhs.gov/ocr/office/about/rgn-hqaddresses.html](https://www.hhs.gov/ocr/office/about/rgn-hqaddresses.html)

## What to have ready

Before you start the form, gather the following from your OpenCharts audit log:

1. Your name, mailing address, phone, and email.
2. The provider's legal name and address.
3. The date you sent your records request (Day 0).
4. The proof of delivery (USPS certified-mail tracking number or portal receipt).
5. The dates of every follow-up contact and what was said.
6. The date the 30-day deadline expired.
7. Whether you received a written extension and, if so, when.
8. A statement of what you were asking for (records type and format).

## What to write in the summary box

The OCR form has a free-text field for the summary of your complaint. A template that fits the 30-day-access category:

*On [DATE], I sent a written request to [PROVIDER] for a copy of my medical records under the HIPAA right of access, 45 C.F.R. § 164.524. The request was delivered on [DATE] (USPS tracking [#]). I followed up on [DATE] and [DATE]. As of [DATE], more than 30 days after delivery, I have received neither the records nor a written extension notice. I am filing this complaint under 45 C.F.R. § 164.524(b)(2)(i).*

## What to attach

- Your records request letter (the one OpenCharts generates).
- The USPS certified-mail receipt and tracking history.
- A printout or export of your OpenCharts audit log.

- Any written extension notice (or a note that none was received).
- Any provider response or denial.

### **After you file**

OCR will send a confirmation. From there, processing times vary, sometimes substantially. OCR may contact the provider for a response, request more documentation from you, or close the complaint with a finding. You can file in parallel with any state health-department complaint your state offers.

*Nothing in this guide is legal advice. For your specific situation, talk to an attorney.*