

STATE OF COLORADO

STATE BOARD OF MEDICAL EXAMINERS

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June 20, 2005

Kenneth Scott
P. O. Box 351685
Westminster, CO 80035-1685

RE: Warren Hern, M.D.

Dear Mr. Scott:

On June 9, 2005, Inquiry Panel A of the Colorado Board of Medical Examiners reviewed the complaint that you filed against Dr. Warren Hern. The Panel appreciates the time you took to file the complaint and bring this matter to its attention. However, after reviewing the available information, it was the decision of the Panel that your complaint regarding medical records is not within the jurisdiction of the Board. Please be advised that the Medical Board does not enforce HIPAA regulations. Complaints related to HIPAA should be addressed to the U.S. Department of Health and Human Services, Office for Civil Rights. You may contact them at www.hhs.gov/ocr/privacy/howtofile.htm. Your complaint regarding statements made by Dr. Hern in his affidavit is also outside the Board's jurisdiction as those statements are not in the context of a physician/patient relationship.

I am sorry we cannot be of assistance. Again, on behalf of the Board, thank you for bringing this matter to our attention.

Very truly yours,

FOR THE BOARD OF MEDICAL EXAMINERS
INQUIRY PANEL A

Lorraine Lucero
Complaint Enforcement Specialist

Attachment