UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CHARLIE GLOVER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:09-1129
	)	**JUDGE HAYNES**
VANDERBILT UNIVERSITY, ET AL.,	)	
	)	
Defendants.	)	

MEMORANDUM

Plaintiff, Charles Glover, filed this *pro se* action alleging the DefendantS violated the Health Insurance Portability and Accountability Act of 1996 (HIPAA). According to his complaint, Plaintiff alleges that "John Farley, and Vanderbilt Workmans Comp., Occupational Health did not investigate my injury or follow HIPPA Laws." (Docket Entry No. 1, ¶ 4, p. 2) (unnecessary/improper capitalization omitted). Plaintiff's other factual allegations are that "I feel that John Farley, my formal manager[,] did not follow HIPPA laws in reporting and acting according to my work injury." (Docket Entry No. 1, ¶ 1, p. 1) (unnecessary/improper capitalization omitted). Plaintiff seeks only damages for his claims.

The Court must review a *pro se* complaint filed *in forma pauperis* to assess whether the complaint is frivolous, malicious, or fails to state a claim on which relief may be granted. 28 U.S.C. §§ 1915(e)(2)(B)(i)-(ii).

Plaintiff's claim are that his injury was not investigated and reported in accordance with HIPAA. Violations of HIPPA do not give rise to a private right of action. See e.g., Runkle v. Gonzales, 391 F.Supp.2d 210, 237 (D.C. 2005); Dominick J. V. Wyoming Valley West High Sch., 362 F.Supp.2d 560, 572 (M.D. Pa. 2005). HIPAA "provides for both civil and criminal

penalties for individuals who improperly handle or disclose individually identifiable health information." Johnson v. Quander, 379 F.Supp.2d 79, 99 (D. D.C. 2005). Yet, HIPAA "specifically indicates that the Secretary of [Health and Human Services] shall pursue the action against an alleged offender, not a private individual." Logan v. Dep't of Veteran Affairs, 357 F.Supp.2d 149, 155 (D.D.C. 2004).

Accordingly, this action must be dismissed for failure to state a claim on which relief may be granted. 28 U.S.C. § 1915e(2)(B)(i) and (ii).

An appropriate Order is filed herewith.

ENTERED this the 13th day of January, 2010.

William J. Haynes, Jr.
United States District Judge