

Medical Records Requests | Step-by-Step Guide

Type of Request	Format requested	Max Allowable fees	Authorization and Notice Required	Deadline	Additional information
PATIENT REQUESTS RECORDS FOR THEMSELVES [Examples: (i) patient wants to review records themselves; (ii) patient needs records for life insurance application; (iii) patient needs records to take to new provider]	Electronic access only (e.g., through portal)	\$0.00	A covered entity may require individuals to request access in writing, provided the covered entity informs individuals of this requirement. The Privacy Rule requires a covered entity to take reasonable steps to verify the identity of an individual making a request for access.	Must be made "readily available" (See 21st Century Cures Act)	
	Email copy of records	Either one of the following: \$6.50 – flat fee; OR Actual labor cost to fulfill request (note: cannot charge for reviewing request and searching for/retrieving records)	The covered entity must inform the individual in advance of the approximate fee that may be charged for the copy. A covered entity may require individuals to request their records in writing, provided the covered entity informs individuals of this requirement. The Privacy Rule requires a covered entity to take reasonable steps to verify the identity of an individual making a request for records.	30 days	A physician may not charge for medical records requested in order to make or complete an application for a disability benefits program per O.C.G.A. § 31-33-3(a).
	Paper/Hard-Copy of records or Downloaded to disk or flash drive and mailed	Either one of the following: 1) \$6.50 – flat fee. OR 2) Actual labor cost to fulfill request (note: cannot charge for reviewing request and	The covered entity must inform the individual in advance of the approximate fee that may be charged for the copy. A covered entity may require individuals to request their records in writing, provided the covered entity informs individuals of this requirement. The Privacy Rule requires a covered entity to take reasonable steps to verify the identity of an individual making a request for records.	30 days	A physician may not charge for medical records requested in order to make or complete an application for a disability benefits program per O.C.G.A. § 31-33-3(a).

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PATIENT REQUESTS RECORDS TO BE SENT TO THIRD PARTY (E.G., ATTORNEY) OR ATTORNEY REQUESTS RECORDS (W/PATIENT AUTHORIZATION)		a) ≤ \$25.88 may be collected for search, retrieval, and other direct administrative costs.	The Privacy Rule requires a covered entity to take reasonable steps to verify the identity of an individual making a request for records.	Within 30 days of the receipt of a request for records	Payment of such costs may be required by the provider prior to the records being furnished.
		b) ≤ \$9.70 for certifying the records.			
		c) Copying costs of: ≤ \$.97/per page for first 20 pages; ≤ \$.83/per page for pages 21 thru 100; and ≤ \$.66/per page for pages 100+ Note: To the extent the request for medical records includes portions of records which are not in paper form, including but not limited to radiology films, models, or fetal monitoring strips, the provider shall be entitled to recover the full reasonable cost of such reproduction			
REQUEST FOR PRODUCTION OF DOCUMENTS TO A NON-PARTY (OFTEN USED IN PENDING LITIGATION TO GET RECORDS FROM SOMEONE WHO IS NOT A PARTY IN THE CASE)		a) ≤ \$25.88 may be collected for search, retrieval, and other direct administrative costs.		Wait 25 days before releasing the records to allow the patient's attorney time to object (if they plan to do so)	• Once released, note the release in your Accounting of Disclosures.
		b) ≤ \$9.70 for certifying the records.			
		c) Copying costs of: ≤ \$.97/per page for first 20 pages; ≤ \$.83/per page for pages 21 thru 100; and ≤ \$.66/per page for pages 100+ Note: To the extent the request for medical records includes portions of records which are not in paper form, including but not limited to radiology films, models, or fetal monitoring strips, the provider shall be entitled to recover the full reasonable cost of such reproduction			

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SUBPOENA FOR RECORDS		a) ≤ \$25.88 may be collected for search, retrieval, and other direct administrative costs.	If a patient authorization is not attached to the subpoena, contact your patient directly to inform them about the request and inquire about authorization before releasing any information.	See deadline set forth in subpoena	
		b) ≤ \$9.70 for certifying the records.			
		c) Copying costs of: ≤ \$.97/per page for first 20 pages; ≤ \$.83/per page for pages 21 thru 100; and ≤ \$.66/per page for pages 100+ Note: To the extent the request for medical records includes portions of records which are not in paper form, including but not limited to radiology films, models, or fetal monitoring strips, the provider shall be entitled to recover the full reasonable cost of such reproduction.			