

## EVMS Medical Group

**POLICY: Fees**

**DATE: 03/2003**

**CATEGORY: MEDICAL RECORD RELEASE OF INFORMATION**

**REVIEWED/  
REVISED:  
09/2019**

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**POLICY:** A. Provide records requested by other healthcare providers for the continuing care of the patient without charge.

B. Provide records requested by the patient or his/her attorney at the expense of the patient or attorney in accordance with Federal and State law (see note below). **All requirements in Authorization to Release Medical Record Information must be satisfied.**

C. Provide records requested by the patient (active and inactive) at the expense of the patient in accordance with Federal and State law (see note below). **All requirements in Authorization to Release Medical Record Information must be satisfied.**

### Allowable Charges for Copies of Medical Records

If a patient requests copies of his/her medical records (or that his/her medical records be sent to a designated individual), then HIPAA and Virginia law permit a health care entity to impose a reasonable, cost-based fee for such copies.

- **Electronic Copies** – As a general policy, EVMS Medical Group will charge a patient a flat fee of \$6.50 if the patient requests electronic copies of his/her medical record. Notwithstanding the foregoing, the Privacy Office may determine that a higher fee permitted by law may be charged for electronic copies of a patient record for certain unusual requests. In such an instance, EVMS Medical Group will charge the patient a fee either (1) by calculating actual allowable costs to fulfill such individual request or (2) by using a schedule of allowable costs based on average allowable labor costs to fulfill standard requests and adding the actual supply and postage costs. The decision of which option to utilize with respect to such an unusual patient request will be determined by the Privacy Office.
- **Paper Copies** – As a general policy, if a patient requests paper copies of his/her medical records, then EVMS Medical Group will charge the patient a fee using a schedule of allowable costs based on average allowable labor costs to fulfill standard requests and adding the actual supply and postage costs. As a frame of reference, typically a charge of no more than \$4 would be expected for production of an average sized medical record (generally consisting of about twenty pages), inclusive of labor and supply cost. Notwithstanding the foregoing, for certain unusual requests, the Privacy Office has the authority to determine that the patient will be charged a fee by calculating the actual allowable labor costs plus supplies to fulfill such individual request.

If EVMS Medical Group is calculating the reasonable, cost-based fee based on the actual allowable costs or the average allowable labor costs, then such calculations shall include only the costs of (a) labor for copying the records requested by the patient, whether in electronic or paper form; (b) supplies for creating the paper copy or electronic media (e.g., CD or USB drive) if the patient requests that the electronic copy be provided on portable media; (c) postage, if the patient requests that the copy or summary be mailed; and (d) preparation of an explanation or summary of the records, if requested or

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agreed to by the patient. This cost-based fee will not include any costs associated with verification, documentation, searching for or retrieving the patient's PHI, maintaining systems, recouping capital for data access, storage, or infrastructure, or other costs not listed above.

In all situations, EVMS Medical Group will inform the patient in advance of the approximate fee that may be charged for providing the copy requested.

### **No Charge for Inspecting Records**

A patient will not be charged if he/she only requests to inspect his medical records at the office.

### **Accounting of Disclosures**

If a patient requests an accounting of disclosures, the patient will not be charged for the first accounting provided to such patient in any 12 month period. If a patient requests more than one accounting of disclosures during any 12 month period, then the Privacy Office must be contacted to determine the allowable reasonable cost-based fee that will be charged to such patient for each such additional request during the 12 month period.

### **Waiver of Charges**

EVMS Medical Group acknowledges the importance of granting patients access to their medical records. Accordingly, the Privacy Office, the practice/office manager, or treating provider may elect to waive charging any individual patient the permitted fees described above.