**Quick Guide to Accessing Medical Records**

It is important for everyone to have a complete copy of their medical records. In some cases, your health care providers will allow you to see part of your records through an online account, but those records don't usually display your complete file.

**Having a copy of your records, helps you to:**

- Ensure the information is correct and fix or clarify any information with your health care team
- Avoid repeating tests or other procedures
- Coordinate care more efficiently between your different health care providers, pharmacists, and treatment facilities
- Share them with new members of your health care team or with potential providers (e.g., to get a second opinion)
- Share them with family or friends who are acting as caregivers
- Apply for disability benefits – see the Quick Guide to Disability Insurance (http://TriageCancer.org/QuickGuide-DisabilityInsurance)
- Appeal denials of health insurance coverage – see the Quick Guide to Appeals for Employer-Sponsored and Individual Health Insurance (http://TriageCancer.org/QuickGuide-Appeals)


HIPAA gives you the right to receive, inspect, and review copies of your medical records and billing records from health plans and health care providers who are covered by HIPAA. The HIPAA Privacy Rule includes rules that protect the privacy of your health care information. For more information: www.cdc.gov/phlp/publications/topic/hipaa.html.

**Who is required to protect your medical information under HIPAA?**

Health care entities that are required to protect your privacy under HIPAA include:

- **Healthcare providers**: Every healthcare provider, regardless of size of practice, who electronically transmits health information in connection with certain transactions, including claims, benefit eligibility inquiries, referral authorization requests, and other transactions for which HHS has established standards under the HIPAA Transactions Rule.

- **Health plans**: Entities that provide or pay the cost of medical care (e.g., health, dental, vision, and prescription drug insurers; Medicare; Medicaid; Medigap insurers; long-term care insurers (excluding nursing home fixed-indemnity policies); employer-sponsored group health plans, government- and church-sponsored health plans, and multi-employer health plans.

- **Business associates**: A person or organization (other than a member of a covered entity’s workforce) using or disclosing individually identifiable health information to perform functions, activities, or services including claims processing, data analysis, utilization review, and billing.

Employers are generally not covered under the HIPAA privacy rule, but other federal laws protect the privacy of medical information at work (e.g., ADA, FMLA, etc.) For more information, see the Quick Guide to Disclosure, Privacy, & Medical Certification Forms (http://TriageCancer.org/QuickGuide-Disclosure).

**When can I request my medical records?**

- You can request a copy of your medical records from your health care provider and/or health plan at any time, for any reason.
**Will my unpaid bills affect my ability to retrieve my medical records?**

- A health care provider may not withhold access to your medical records because you may have an outstanding medical bill.

**How much is it to request a copy of my medical records?**

- The Privacy Rule allows providers to charge reasonable, cost-based fees related to providing you with a copy of your medical records (including the cost of supplies, labor, and postage). You may not be charged if someone else searches for your medical records. Per page fees are not allowed if records are stored electronically. *Note: some state laws also allow for fees and the amounts vary by state.*

**In what formats can I receive my medical records?**

- A patient can decide what format the medical records are provided in. Options include: email, paper, fax, mail, USB drive, or online portal.

**After I request my medical records, how soon should I expect to receive them?**

- Under HIPAA’s Privacy Rule, providers must provide a patient with a copy of their medical records within 30 days of their request, or 60 days if records are kept off-site. If the provider cannot either respond or provide the records within this time frame, they can use one 30-day extension.

**Do I have to get the full medical record or can I receive a partial record?**

- You have the right to request a full or partial copy of your medical record. A Full Record is beneficial for own records or if you have a new provider. A Partial Record is beneficial to access specific information, such as allergies, immunization history, test results, and medications.

**What do I do if I want to correct something in my medical record?**

- If you think that there is information in your medical or billing record that is incorrect, you can ask your health care provider or health plan to make a change to your record. The health care provider or health plan must respond to your request and make the change or addition to your record. If they refuse, you have the right to submit a statement of disagreement that the provider or plan must add to your record.

**Who do I contact if I am denied access to my medical records?**

- If a health care provider or health plan does deny you access to your medical records, contact the U.S. Department of Health & Human Services (HHS) Office for Civil Rights at 800-368-1019, or visit: [www.hhs.gov/hipaa/filing-a-complaint/index.html](http://www.hhs.gov/hipaa/filing-a-complaint/index.html).

**State Laws:** Many states have passed laws that also protect your right to access your medical records. Visit the Triage Cancer Chart of State Laws ([http://TriageCancer.org/StateLaws](http://TriageCancer.org/StateLaws)) for details about your state’s laws, including fees and timelines.

**Additional Resources**

- HHS Video - Your Health Information, Your Rights: [www.youtube.com/watch?v=FKTHncn-5Vs](http://www.youtube.com/watch?v=FKTHncn-5Vs)
- HHS - Right to Access Memo: [www.hhs.gov/sites/default/files/righttoaccessmemo.pdf](http://www.hhs.gov/sites/default/files/righttoaccessmemo.pdf)
- When Health Care Providers May Communicate About You with Family Members, Friends, or Others Involved in Your Care: [www.hhs.gov/sites/default/files/ocr/privacy/hipaa/understanding/consumers/consumer_ffg.pdf](http://www.hhs.gov/sites/default/files/ocr/privacy/hipaa/understanding/consumers/consumer_ffg.pdf)