

Can I get my Medical Records?

According to **United States** Federal Legislation, you have a legal right to obtain your medical records, whether they are kept electronically or on paper. This legislation is a part of the Health Insurance Portability and Accounting Act (HIPAA) of 1996 (**also known as the Kassebaum-Kennedy Act**), as well as the Health Information Technology for Economic and Clinical Health Act (HITECH) Act of 2009.

This **canon** gives you privacy rights(1) and protection over your health information, **including disclosure to relatives, other health facilities and health care providers or non-health-related institutions unless by consent or in an ongoing criminal investigation e.g kidnapping and hostage situation.**

You can request information regarding your laboratory tests and results such as x-rays, blood tests, and other information regarding diagnosis and treatment modalities or schedules.

Kassebaum-Kennedy Act does not permit any individual, group of individuals or facility full autonomy of your records unless they include information that;

(1) the physician thinks will harm the physician-patient relationship,

(2) are part of ongoing research, or

(3) contain substance abuse or mental health information.

However, **in case of denial of access to your medical records**, you can file a complaint with the Office of Civil Rights at the United States Department of Health and Human Services.

How to Retrieve Medical Records

To retrieve your medical records, visit the healthcare facility to make a verbal request. Afterwards, the facility will either ask you to document your request formally or fill out the 'Request to Access Personal Health Information (PHI)' form, also called HIPAA Authorization form.

You can also request a copy on behalf of someone, however, you must go through **a more intense process for medicolegal reasons.**

The form contains information such as:

- **Name or other specific identification of the person requesting for the disclosure of the medical records**
- **Name or other specific identification of the person(s) who should receive the records**
- **The types of records you are requesting.**
- **How long you would like to have the medical information**
- **The purpose of the request**

- An undertaking with the signature of the patient requesting for the records.
- Date of request

The HIPAA law holds that there are no charges for requesting medical information or records, however, you may have to pay for copying page by page, especially if the records are on paper, or if you are requesting fax.

If the healthcare facility uses Certified Electronic Health Record Technology (CEHRT) to store their patients' medical records, you can get your electronic or online copies free of charge.

The waiting period is different based on the facility that you are obtaining your records from, however, the medical provider is legally required to provide the records within 30 days. The minimum waiting period varies across different states and is dependent on the type of medical information you are requesting.

How do I get my Medical Records Faster?

If you are in direct contact with the facility that is completing your medical record request, you can ask for faster options to receive your medical records. They may offer you an "express" option, although with a fee.

Otherwise, if you would like to receive your medical records quicker, here is some advice:

Plan and request the records ahead of time.

Or, you file for your record correctly and send requests to the proper location or office with follow up. Following up on your requests is important because regular communication with the facility is crucial to their understanding of the urgency, if there is any.

How to Obtain Medical Records Online

According to the Office of the National Coordinator for Health Information Technology, the rate of online requests and retrieval of medical records is on an increase in recent years.

Some medical facilities, hospitals, and offices offer you an option to get your medical records online. Although it is important to note that most facilities would offer you a physical copy, you can always inquire about retrieving your medical records online.

If the facility does offer you access to your records online, they will provide you with a step by step instruction on how to access your records on your computer or mobile device with a username and password.

(1) The privacy rule applies to all medical records except psychotherapy notes (any notes documented by a medical care provider that has to do with the documentation of any counseling sessions)