

Medical One

Patient Access to the Medical Record Policy

Effective date of policy: **June 26, 2013**

Patients have the right to inspect and receive copies of their medical records. This practice may charge for the copying of the record, as well as supplies, labor, and postage, and the patient should be notified of this cost in advance. The patient should agree to this financial responsibility in writing, in advance. (See form.)

This practice has the right to deny a patient's request to inspect and copy their medical record. This denial must be in writing and explain why the request has been denied.

There are several circumstances when the denial may not be appealed (*unreviewable denial*).

- Psychotherapy notes.
- Information compiled in reasonable anticipation of or for use in a civil, criminal, or administrative action proceeding.
- Protected health information (PHI) maintained by a practice subject to Clinical Laboratory Improvements Amendments (CLIA) (to the extent access to an individual would be prohibited by law).
- PHI regarding an inmate at a correctional facility.
- In research situations, if the patient was advised prior to the study.
- If the information was obtained from someone other than a health care provider and if access would compromise an individual providing information under a promise of confidentiality.

The patient can appeal the denial and has the right to request review by another licensed health professional designated by the practice and who was not a part of the original decision to deny access (*reviewable denial*).

- If a licensed health care professional determines that the requested access would endanger the life or physical safety of the individual or another person.
- If the record makes reference to another person and the licensed health professional believes the access could cause substantial harm to that person.
- Request has been made by patient's personal representative and the licensed professional believes it could cause harm to that individual or another person.

Patients should make this request on the attached form, which is then submitted to the privacy officer for action.