

Good afternoon –

In response to recent guidance issued by the Office for Civil Rights regarding charges to patients for medical records, I will be updating the Authorization forms and related policies over the next several weeks. In the meantime, please implement the following immediately, to the extent you are not already doing so:

1. Ensure that your records reflect that the \$10 fee charged to law firms and insurance companies is charged only when the law firm or insurance company asks that you provide an affidavit or notarized statement regarding the records being released. The fee is not for (and cannot be for) the copies themselves; it is for your time in responding to the law firm's or insurance company's request for the statement. (We are not permitted to charge law firms and insurance companies a fee simply for providing records they request by or on behalf of a patient.)
2. Ensure that you inform the patient/member in advance of the approximate cost of the copies (plus estimated postage and supplies, such as CDs, if applicable). If a patient/member wants to revise her request to reduce the costs, the patient/member may do that, so please consider not making the copies until the patient/member is informed of the approximate cost.
3. Ensure that you accommodate patients/members who request copies of their records but cannot afford the copies. If a patient/member indicates or you know that the fee would be difficult or impossible for the individual to pay, please waive the fee. (We will review whether having a reduced or sliding scale is appropriate; however, until then, please waive the fee entirely.) When you waive a fee, please indicate "No Charge" or "Fee Waived" or similar on the Authorization form.
4. Ensure that your charges for electronic copies of records that are maintained electronically do not exceed \$6.50, including postage and supplies.

Please let me know if you have any questions or concerns about the above. I will notify you when the Authorization form and related policies have been updated to reflect this OCR guidance. Thank you for your assistance with the University's HIPAA Compliance Program.