



## Medical Records Reproduction Fee Schedule for 2009

The Pennsylvania Medical Society receives a significant number of inquiries from physicians and their office staff concerning medical record copying fees. While physicians have not traditionally sought to make a profit on providing medical records, they have sought to recover their costs, particularly when a medical record is substantial.

A patient may request a copy of their record for his or her own use. It is important to note that the medical record for a patient is defined by state regulation as, all "clinical information pertaining to the patient which has been accumulated by the physician, either by himself or through his agents." This includes diagnostic test results, x-rays, physician notes, and any records from prior treating or consulting physicians. The following charge list does not apply to an X-ray or any other portion of a medical record which is not susceptible to photostatic reproduction.

The Department of Health and Human Services has stated that, under HIPAA, medical record copying fees for patients may not include costs associated with searching for and retrieving the medical record. For a subpoena, attorney, or insurance company requests, you may charge the Act 26 fees, including the search and retrieval fee. To determine your cost for copying and mailing medical records for a *patient* request under HIPAA, you should consider the following:

- Salary and benefits of the person who does the copying. Include all steps of the process, i.e., verifying validity of authorization, pulling the chart, reviewing the record, removing the records, copying, preparation for mailing, re-assembling the chart, and re-filing the chart.
- Cost of the supplies, i.e., paper, toner, envelopes, etc.
- Cost of equipment, i.e., prorated lease or depreciation expense.

	Act 26 (2009)	HIPAA	Charge to Patient
Retrieval Fee	\$19.80	\$0	\$0
Pages 1-20	\$1.33/page	Cost of copying & mailing	Cost up to \$1.33/page
Pages 21-60	\$.99/page	Cost of copying & mailing	Cost up to \$.99/page
Pages 61+	\$.33/page	Cost of copying & mailing	Cost up to \$.33/page

In addition to the amounts listed, charges may also be assessed for the actual cost of postage, shipping and delivery of the requested records. **Neither Act 26 nor HIPAA mandates that charges be assessed for copies of medical records. It merely sets the maximum fees that can be charged.**

If a district attorney requests a medical record for an action or proceeding, a flat fee of \$19.80 may be charged. No independent or executive agency of the Commonwealth is required to pay any costs associated to medical charts or records unless required by law. At this time, Workers' Compensation (utilization review) and Auto (peer review) pay \$.12 per page, plus actual mailing costs (scope of release is limited to the treatment of the work related or auto injury). Attorney requests for Workers' Compensation and Auto treatment records are *not* subject to the \$.12 limitation. If the medical record is requested for the purpose of supporting a claim or appeal under the Social Security Act, a flat fee of \$25.09 plus postage may be charged (the attorney should be able to supply a copy of the *Appointment of Representative* from the Social Security Administration). **Note:** Some health insurance contracts may require the physician to forward patient records to another physician within a network at no charge.