

NOTICES

PA DEPARTMENT OF HEALTH

Amendments to Charges for Medical Records

[39 Pa.B. 6911]

[Saturday, December 5, 2009]

Under 42 Pa.C.S. §§ 6152 and 6155 (relating to subpoena of records; and rights of patients), the Secretary of Health (Secretary) is directed to adjust annually the amounts which may be charged by a health care facility or health care provider upon receipt of a request or subpoena for production of medical charts or records.

Accordingly, the Secretary provides notice that, effective January 1, 2010, the following fees may be charged by a health care facility or health care provider for production of records in response to subpoena or request:

	Not to Exceed
Amount charged per page for pages 1--20	\$ 1.32
Amount charged per page for pages 21--60	\$.98
Amount charged per page for pages 61--end	\$.33
Amount charged per page for microfilm copies	\$ 1.95
Flat fee for production of records to support any claim under Social Security	\$24.94
Flat fee for supplying records requested by a district attorney	\$19.68
* Search and retrieval of records	\$19.68

* *Note:* Federal regulations enacted under the Health Insurance Portability and Accountability Act at 45 CFR Parts 160--164 state that covered entities may charge a reasonable cost based fee that includes only the cost of copying, postage and summarizing the information (if the individual has agreed to receive a summary) when providing individuals access to their medical records. The Department of Health and Human Services has stated that the fees may not include costs associated with searching for and retrieving the requested information.

In addition to the amounts listed previously, charges may also be assessed for the actual cost of postage, shipping and delivery of the requested records.