



Policy Number: IM_HIM.111

Original Issue Date: May 2015

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March 2022

Fees and Timelines for Release of Medical Records

BOD Approval Date: March 29, 2022

Accrediting/CMS References:

POLICY STATEMENT

When releasing medically-related information, Christus Southern New Mexico (CSNM) will determine appropriate fees and timelines for fulfilling requests for records both by the patient and external requests. CSNM shall comply with the Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) as amended by the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH) and applicable regulations promulgated thereunder and all other State and Federal rules, regulations and laws protecting the confidentiality of patient information, including but not limited to The CURES Act, which went into effect March 2020.

Definition:

Records are defined as the collection of information concerning a patient and his or her health care that is created and maintained in the regular course of business in accordance with policies, made by a person who has knowledge of the acts, events, opinions or diagnoses relating to the patient, and made at or around the time indicated in the documentation. Record types can include medical, billing, physician practice and ancillary services and studies.

External Records Requests include those requests made by anyone other than the patient themselves or personal representative.

POLICY

FULFILLING ANY RECORD REQUEST

1. Medical records may be provided to patients or external sources in a paper format or electronically as requested by the patient or deemed appropriate requester.
2. Every effort will be made to fulfill the request as quickly as possible. Records will be processed within fifteen (15) days. GCRMC staff may request up to an additional fifteen (15) days processing time.
3. Proper charge amounts are determined by a 'page count' run and/or per examination for Diagnostic Imaging and Cardiopulmonary requests.
4. Records mailed or sent via a special transport company from CSNM will require signature of the recipient and tracking capabilities.

FULFILLING PATIENT REQUESTS FOR RECORDS

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If printed, this document is current for this date only: April 7, 2025. Current Policy and Procedure(s) can be found on GCRMC's Portal.

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1. CSNM will provide patients with access to the requested medical, billing, and imaging records only when the appropriate *Request for Health Information* form (attached) is completed in its entirety.
2. Records will be provided unless there exists a valid reason to deny the information. Psychotherapy notes must be maintained separately from the patient's medical record and may be disclosed to the patient only with the approval of the mental health provider.
3. Pursuant to The CURES Act, CSNM has fifteen (15) days to provide the information to the patient but will make every effort to provide the information in a timely manner. CSNM's HIM department *may* be able to fulfill the request at the time it is made but there may be instances where staff will need to arrange a pick-up date with the patient or send information by mail or Fed-Ex.
4. The Privacy Rule permits a covered entity to impose reasonable, cost-based fees which may include only the cost of copying (including supplies and labor) and postage, if the patient requests that the copy be mailed. Medical information may be archived on microfiche or paper and charges will be consistent with the fee schedule contained herein. If the patient has agreed to receive a summary or explanation of his or her protected health information, a covered entity may also charge a fee for preparation of the summary or explanation. See 45 CFR 164.524.
5. Patients requesting records for their own personal use will not be charged for their records. Patient records will be sent to other providers at the request of the patient and at no cost.

EXTERNAL MEDICAL RECORDS REQUESTS

1. CSNM will provide external entities with requested records only when a valid, appropriate Authorization form (attached) is completed in its entirety unless exempted by law.
2. Reasonable cost-based charges for external entities will not exceed Fifteen Dollars (\$15.00) for the first fifteen (15) pages and Fifteen Cents (\$.15) per page thereafter. A Fifteen Dollar (\$15.00) fee will be assessed to each request. Producing Diagnostic Imaging and Cardiopulmonary tests or Records on a CD will cost Ten Dollars (\$10.00) for each CD with a Fifteen Dollar (\$15.00) fee.
3. The Social Security Administration is required to pay only Eighteen Dollars and Seventy-Five Cents (\$18.75) for copies of medical records. HEDIS audits will be charged twenty dollars (\$20.00) per patient regardless of the number of encounters requested.

REQUESTS WITH NO ASSOCIATED CHARGES

1. CSNM will not charge a copy fee in the following instances or to the following external entities:
 - Patients requesting that their records be sent to a provider in advance of a scheduled visit;
 - Patient Transfers;
 - Active Military, in the process of being transferred;
 - Eye Banks/Donor Services;
 - Detention Center Authorities;
 - Public Health Entities;
 - Local District Attorney/Public Defender Offices (subpoenas);

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- Adoption Agencies; and
- Life Insurance Companies when verifying services provided.

LINKS



Patient Request for
Health Information



Authorization for
Disclosure of Protect

REVIEW/REVISION HISTORY

| Date of Review/Revision | Prior Policy Name/Number (if applicable) | ✓ If Reviewed | ✓ If Revised |
|-------------------------|--|---------------|--------------|
| February 2020 | | ✓ | |
| December 2021 | | ✓ | ✓ |
| March 1, 2022 | | ✓ | ✓ |

MOST RECENT REVISION (IF ANY)

3/22: Patients will no longer be billed when requesting records for personal use.

12/21: Pursuant to The CURES Act, records will be processed within fifteen (15) days. CSNM staff may request up to an additional fifteen (15) days processing time. New costs for personal use and external requests are provided. Charges to individuals requesting records for any Social Security-related action have been eliminated.

This approved policy is posted on the GCRMC Intranet Website under Hospital Policies for Employee and Departmental access.

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