

Optometry Coding & Billing Alert

READER QUESTIONS: Turn Over Records Even if Patient Owes You

Question: We have a patient with a large balance. She recently called our office and asked for her medical records. Can we withhold her records until she pays us?

New York Subscriber

Answer: You should not refuse to release a patient's medical records because she owes your practice money. You cannot hold the patient's medical records "for ransom," experts advise. You must release records to the patient according to your state regulations. Many states have laws prohibiting practices from withholding patient records because they have an outstanding balance. In New York you need to release the records within 15 days (or 30 if you have an acceptable excuse for the delay).

Additionally: The Department of Health and Human Services publishes a brochure on patient rights, which tells patients requesting medical records that "in most cases, your copies must be given to you within 30 days, but this can be extended for another 30 days if you are given a reason."

Consult the experts: Check with your state's optometry association or with a healthcare attorney in your state to find out exactly what your state's laws require.