

Health Information Compliance Alert

READER QUESTIONS: CHOOSE ONE FEE FOR PATIENT COPIES

Question: We recently realized that our remote sites charge different amounts for patients to receive copies of their medical records. Does this violate HIPAA?

Tennessee subscriber

Answer: "No," says **Tessa Chenaille** of Chenaille Compliance Consulting in Medford, MA. But you should set a standard rate for all your treatment sites.

How? Section 164.524 of the privacy rule allows you to charge based on the costs you incur (including supplies and labor) for making the copy, mailing the copy if necessary, and preparing an explanation or summary of the information in the record.

Your state's laws might also weigh in on your copy fee, Chenaille notes. For example, in Massachusetts, providers cannot charge more than \$15.00, with a maximum of \$0.50 per page for the first 100 pages and a maximum of \$0.25 per page for pages over 100.

The Bottom Line: If your state does not set maximum amounts, check out what your local library or post office charges, then add your set-up fees to that amount, Chenaille suggests. But you can never charge your patients more for making copies than the cost you incur.