



Can I get copies of my patient records?

Yes. You are entitled to a copy of your records on paper or, if the dentist is required to comply with HIPAA, an electronic copy. The original records belong to the dental practice. You may also request a copy of the records be transmitted to another individual or dentist. The dental practice may require you submit a written request but may not unreasonably delay access to your information.

Can the dental practice charge me for the copies?

Yes. The dental practice is entitled to charge a reasonable fee based upon the actual time and cost involved in preparing the summary. State and federal law set limits on what can be charged. The dental practice must inform you of the charges in advance of making a copy.

Must I clear up my outstanding account before receiving copies of my records?

No. Dentists may not demand an outstanding account be cleared before providing access to records. However, there are other mechanisms by which the account balance may be pursued.

What exactly am I entitled to receive?

Federal HIPAA laws and state law govern patient right to access health records. State law is California Health and Safety Code Section 123100-123149.5.

It gives patients the right to:

- Inspect records during business hours within five days of presenting a written request.
- Receive copies of records within 15 days of presenting a request.
- Receive x-rays or tracings within 15 days of presenting a request.

The law gives the dental practice the right to:

- Charge \$.25 per page (or \$.50 per page for microfilm copy), as well as reasonable clerical costs, for paper copies. The fee charged for an electronic copy may not exceed the actual labor and material costs of fulfilling the request. For example, the practice may charge for the cost of a flash drive. Emailing information to you will have minimal cost.
- Charge reasonable costs, not exceeding actual duplication cost, for x-ray copies.
- Charge for postage.

A summary of the record may be provided to you as an alternative to providing copies or allowing inspection. However, if your dental practice is a HIPAA-covered entity, it must first obtain your authorization in advance of preparing the summary. The authorization should include an acceptance of the preparation fee.

If the summary option is exercised, the summary must be provided within ten working days of the patient's request. More time may be allowed to prepare the summary if the record is large, but the summary must be provided within 30 days of the request. The dentist may charge no more than a reasonable fee based on actual time and cost for the preparation of the summary. If a summary is provided, the dentist may confer with the patient to determine why the patient wants the records. If the information required relates only to specific injuries, illnesses or episodes, the summary need only relate to those items.

Refer to the dental practice's Notice of Privacy Practices to learn more about your health information rights.