

Charging Fees for Copies of Medical Records: HIPAA Limits What May be Charged in Georgia

HIPAA Privacy Rule – Provisions for Charging Fees for Copies of Medical Records

45 C.F.R. §164.524 Access of individuals to protected health information.

(c) Implementation specifications: Provision of access. If the covered entity provides an individual with access, in whole or in part, to protected health information, the covered entity must comply with the following requirements.

(4) Fees. If the individual requests a copy of the protected health information or agrees to a summary or explanation of such information, the covered entity **may** impose a reasonable, cost-based fee, **provided that the fee includes only the cost of:**

(i) **Copying, including** the cost of **supplies for and labor** of copying, the protected health information requested by the individual;

(ii) **Postage**, when the individual has requested the copy, or the summary or explanation, be mailed; **and**

(iii) **Preparing an explanation or summary** of the protected health information, **if agreed to by the individual** as required by paragraph (c)(2)(ii) of this section.

Georgia Law – Provisions for Charging Fees for Copies of Medical Records

O.C.G.A. 31-33-3. [In Pertinent Part:]

(a) The party requesting the patient's records shall be responsible to the provider for the costs of copying and mailing the patient's record. ... The actual cost of postage incurred in mailing the requested records may also be charged. In addition, copying costs for a record which is in paper form shall not exceed \$.75 per page for the first 20 pages of the patient's records which are copied; \$.65 per page for pages 21 through 100; and \$.50 for each page copied in excess of 100 pages. All of the fees allowed by this Code section may be adjusted annually in accordance with the medical component of the consumer price index. The Office of Planning and Budget shall be responsible for calculating this annual adjustment, which will become effective on July 1 of each year. To the extent the request for medical records includes portions of records which are not in paper form, including but not limited to radiology films, models, or fetal monitoring strips, the provider shall be entitled to recover the full reasonable cost of such reproduction. Payment of such costs may be required by the provider prior to the records being furnished. This subsection shall not apply to records requested in order to make or complete an application for a disability benefits program.