

Access to Your Child's Health Records

You have the right to see records

Health records include information about your child's diagnosis, treatment, and prognosis. You have the right to request and see your child's complete and current health records and to receive the information in understandable language. Your child's doctor may, however, withhold any written speculations about your child's health condition. This right applies to records held by most health care professionals, facilities, and agencies, including doctors, mental health professionals, hospitals, and home care agencies.

You have the right to copies of records

To receive a copy of your child's health records, you must ask for it in writing. You can also request laboratory reports, x-rays, prescriptions, and other technical information. The hospital, clinic, or doctor's office may have a record request form that you can fill out.

Timing

The law does not give a time limit that outlines exactly how long the office may take to send you the records, but the records must be sent promptly.

Summary of the record

Your child's doctor may want to give you a summary of the health record and not the entire file. The doctor may do this only if you agree. Otherwise, you must be given copies of the original records. Any summary must include all information needed to make good health care decisions.

Fees

- If you want a copy of the health records in order to review the current medical care of your child, you must not be charged a fee.
- If you request copies of the health record for a reason other than to review the current medical care, then you may be charged a reasonable fee for the copies and administrative time.

Notice about access to records

You must be given clear written notice about how you can have access to your child's health records and what your rights are regarding records. The notice may be posted in the office or given directly to you. If you have any questions about receiving your child's health records, ask for a copy of the notice.

Access may be restricted in limited circumstances

In certain limited cases your child's doctor does not have to give you access to health records but may instead give the information to another appropriate person. That person may choose to release the information to you. This is limited to cases in which the doctor reasonably determines that the information could be damaging to your child's physical or mental health, or is likely to cause your child to harm himself or herself or to harm another person.

Transfer of records

To have your child's health record transferred from one health care professional to another, you must make a written request. You may be charged a fee for the reasonable costs of providing the information.

Strategies for requesting records

- Call the office before you submit the written request to confirm the address with staff and to notify them that the request is coming. Note the name of the person you speak with so you can follow up later if necessary.
- Keep a copy of all written requests.
- Keep notes of all phone calls regarding the request. Note the date, time, name of the person you spoke with, and outcome of the conversation.
- If you requested a transfer of records to another health care professional, call to confirm that the transfer was completed.