

# Reviewing and Getting Copies of Your Medical Records

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## Can I look at and get copies of my health care provider's medical records?

Usually. There are a few exceptions. See "Can my health care provider refuse my request," below.

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- ❖ Your health care provider must explain any abbreviations or codes in your medical records.
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## How do I exercise this right?

You must give your health care provider a written request to look at and get copies of your medical records. The health care provider must honor your request "as promptly as required under the circumstances." They generally have fifteen days.

## Will my health care provider charge me for copies of my medical file?

Your health care provider can charge a "reasonable fee" for your copies. You may have to pay up front.

In 2017, a health care provider may charge, as a "reasonable fee," up to \$1.17 a page for the first thirty pages, 83 cents a page after that, and a \$26 clerical fee. [WAC 246-08-0400](#).

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- ❖ If you are appealing the denial of your Social Security disability or SSI application, you can get a free copy of your medical record once every two years. [RCW 70.02.030\(2\)\(b\)](#).
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## Can my health care provider refuse my request?

Yes, if

They believe the info would be harmful to your health.

It would reveal the source of appropriately confidential info.

It would endanger someone's health or safety.

The provider used or compiled the health care info just for a court case.

A health care provider who denies your request for any of these reasons must try to separate the info they believe they should not release, and give you what they can.

A health care provider who denies your request because of a claim of danger to yourself or another must tell you of your right, at your own expense, to have another health care provider inspect the file to see if you may look at and get copies of the records.

## My provider has denied me copies of my medical file. What can I do?

**Talk to a lawyer.** You can get a court order forcing your health care provider to make your records available to you. You can also ask for actual damages for any refusal to allow you to see and get copies of your medical records. If you win, you can get lawyer's fees and expenses. If you have a good case, a lawyer may represent you without a fee, and try to get attorney's fees from the other side. Many lawyers will talk to you for free to evaluate your case. To find a lawyer, contact your local bar association.

## What is the state law on this?

Read the [Revised Code of Washington \(RCW\) at chapter 70.02](#). Most public libraries and county courthouse libraries have copies of

the Revised Code. Or read it online at <http://apps.leg.wa.gov/rcw/default.aspx?cite=70.02>.

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