

# My Medical Records Are Wrong

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## Should I read this?

You have the right to correct (fix) or amend (add to) your medical records so they are accurate and complete. You may fix any medical records you have a right to examine and copy.

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- ❖ [Reviewing and Getting Copies of Your Medical Records](#) has more info on how to look at your records.
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You must request the correction or amendment *in writing*. The health care provider has ten days to decide whether to grant your request.

If your health care provider agrees your medical records are wrong, they must include the fix or addition in your record. The record must clearly show what the provider has added and/or fixed.

## What if my health care provider does not agree to amend or fix my health care record?

Within ten days of your request to correct or amend, the health care provider must tell you of your right to add a "Statement of Disagreement" to your health care record.

A "statement of disagreement" to a challenged health care record entry should be all of these:

- A short statement of the correction or amendment you asked for.
- Why you believe they should fix your health care record.

After you have filed your statement of disagreement, there must be a note in your health record at the challenged entry showing both of these:

- You think the entry is wrong.
- Where in your health care record your statement correcting it is.

## What if my health care provider denies my right to correct and amend my health care file?

**Talk to a lawyer.** You can get a court order forcing your health care provider to allow you to fix or add to your health care records. You may also collect actual damages for the provider's past refusal to allow you to fix and/or add to your record. If you win, you may also get attorney's fees and expenses to cover the costs of the lawsuit.

If you have a good case, a lawyer may represent you without a fee based on the expectation of getting lawyer's fees from the other side. Many lawyers will meet with you for free to evaluate your case. To find one, call your local bar association's lawyer referral service, if available.

## What is the law about fixing my medical records?

That state law is in the [Revised Code of Washington \(RCW\) at chapter 70.02](#). Most public libraries and county courthouse libraries have copies of the Revised Code of Washington that you may read and copy. It is also online at <http://apps.leg.wa.gov/rcw/default.aspx?cite=70.02>.

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