

Fees for Medical Records

Fees Effective 2/1/18

Based on HB 351, the new maximum fees for copying will be \$25.51 plus \$0.59 per page for the cost of labor and supplies for copies provided in paper form and \$23.88 for additional costs if records are maintained off-site.

Based on HB 351, the new maximum fees for copying will be \$25.51 plus \$0.59 per page, or \$111.79 total, whichever is less, for copies provided electronically.

Section 191.227, RSMo sets the statutory base rate for calculating the maximum fees for copying medical records at \$22.82 and \$.53 per page for the cost of supplies and labor for copies provided in paper form and a retrieval fee not to exceed \$21.36. This section sets the statutory base rate for calculating the maximum fees for copying medical records at \$22.82 and \$0.53 per page, or a total of \$100.00, whichever is less, for the cost of supplies and labor for copies provided electronically. This section also provides that effective February 1st of each year, the fees shall be increased or decreased based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for all urban consumers. The section further provides that the current reference base of the index, as published by the Bureau of Labor Statistics of the U.S. Department of Labor, shall be used as the reference base.

HIPAA and Fees for Medical Records

Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) a covered entity may only charge an *individual or the individual's personal representative* a reasonable cost-based fee pursuant to 45 CFR 164.524. The Office for Civil Rights has posted **guidance regarding what a covered entity provider may charge an individual or the individual's personal representative** (http://www.hhs.gov/ocr/privacy/hipaa/faq/right_to_access_medical_records/353.html).

The **Office for Civil Rights** (<http://www.hhs.gov/ocr/privacy/>) may be contacted by email at OCRMail@hhs.gov (<mailto:OCRMail@hhs.gov>) or by calling 816.426.7277.

Legal Disclaimer

This posting is intended as a public service and is not legal advice or counsel. Seek the advice of private legal counsel if you have questions about what a provider may charge.

- **Missouri Bar Association** (<http://www.mobar.org/forthepublic/findalawyer.htm>)
573.636.3635.
- **Missouri Board of Registration for the Healing Arts** (<http://pr.mo.gov/>)
573.751.0098