



Releasing Medical Records Under HIPAA and Information Blocking

HIPAA Compliance Checklist

All forms and training are in the HIPAA Compliance Kit

Patient Requests Records

Guidance: See Request Handout Graphic

Pricing: Flat Fee Not To Exceed \$6.50 or Worksheet Showing Average Costs or Actual Cost Worksheet

Patient Requests Records for Themselves

Patient Signed Access Form	or	Identity Verified
Emailed (Encryption Not Required if patient warned.)		Paper
Sent to Portal		Other

Patient Requests Records To Be Sent to 3rd Party

Patient Signed Access Form	Paper Records
Emailed – Must be Encrypted	

Continuity of Care Requests

Guidance: Information Blocking requires sharing of records between providers immediately or within a reasonable timeframe. Authorizations are not permitted when the provider is a known provider for the patient. If it is unknown that the provider is a patient of the requesting provider, to request an Authorization signed by the patient an Information Blocking Exception Form must be completed first.

Provider Known To Be Patient Provider	Provider Unknown To Be Patient Provider
Records Sent	Information Blocking Exception Form Completed
	Authorization Requested
	Patient Called to Verify

Subpoena and Court Requests

Patient's Attorney	Opposing Attorney
Authorization Checked for Elements	Notice of Production or HIPAA Release
	No Authorization Required

Special Considerations

Records Checked for SUD Information	No Psychotherapy Notes Involved

To Patient			Directed by Patient			Subpoena or Judicial Request		
Date Requested			Date Requested			Date Requested		
Date Sent			Date Sent			Date Sent		
	Request by Patient			Request by Patient			Authorization Reviewed for Required Elements	
							See Elements Checklist	
	Verification of Identity or Signed Access Form			Signed Access Request			Subpoena Requested Records Only Are Included	
	Fees Charged Meet HIPAA Requirements			Fees Charged Meet HIPAA Requirements			Attorney Requesting Records Has Completed "Attestation Form"	
	Email Requested						or	
	Warning Given, Patient Sent Email To Reply			Email is Encrypted.			Records Have Been Redacted and Notice Provided.	
	Patient Records Are For A Minor			Patient Records Are For A Minor			Proper Amount Has Been Paid or Billed for Records.	
	State Law Redactions Applied			State Law Redactions Applied				

Forms and Documents Associated with This Checklist		
ID	Form/Document	Location/Link
1MR	Authorization Form	
2MR	OCR Authorization Checklist	
3MR	(Patient) Access Request Form	
4MR	Patient Request Graphic	
5MR	SUD Authorization for Continuity of Care	
6MR	Patient Pricing Worksheet	
7MR	Access Rights QuickGuide	
8MR	Requesting Records from Offices	
9MR	Subpoena - Responding	
10MR	Information Blocking Exceptions	