

Clinical Pediatric Associates

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Authorization for Release of Private Health Information

Date: _____

Patient Name: _____ DOB: _____

Address: _____

Phone Number: _____

I authorize Clinical Pediatrics to release my medical and/or billing information to the following individual(s):

Name: _____ Relation to Patient: _____

Name: _____ Relation to Patient: _____

Release all medical information

Exceptions (Information NOT to be released) check all that apply:

History & Physical Exams

Medication Records

Laboratory Reports/Tests

Mental Health Records

Specialists Reports

Hospital Visits

By signing I am authorizing any medical information on the above named patient to be released. I understand that my records are protected under the Federal Confidentiality Regulations and cannot be disclosed without my written consent unless otherwise provided for in the regulation. I understand that I may revoke this authorization at any time except to the extent that action has been taken in reliance on it and that in any event this authorization expires automatically as described below. The purpose for which this information is being released is for medical care of the patient. This authorization will expire one year from the date of my signature otherwise specified by date, event or other condition.

Signed: _____ Date: _____

Texas Administrative Code
TITLE 22 EXAMINING BOARDS|PART 9 TEXAS MEDICAL BOARD|CHAPTER 165 MEDICAL RECORDS RULE §165.2 Medical
Record Release and Charges

- (a) Release of Records Pursuant to Written Request. As required by the Medical Practice Act, §159.006, a physician shall furnish copies of medical and/or billing records requested or a summary or narrative of the records pursuant to a written release of the information as provided by the Medical Practice Act, §159.005, except if the physician determines that access to the information would be harmful to the physical, mental, or emotional health of the patient. The physician may delete confidential information about another patient or family member of the patient who has not consented to the release. If requested, the physician shall provide the requested records in electronic format, if such records are readily producible. If the requested records are not readily producible in a readable electronic format, the records shall be produced in a format as agreed to by the physician and the requestor. If by the nature of the physician's practice, the physician transmits health information in electronic form, the physician may be subject to the Health Insurance Portability and Accountability Act (HIPAA) 45 C.F.R. Parts 160-164. Unless otherwise provided under HIPAA, physicians subject to HIPAA must permit the patient or an authorized representative access to inspect medical and/or billing records and may not provide summaries in lieu of actual copies unless the patient authorizes the summary and related charges.
- (b) Deadline for Release of Records. The requested copies of medical and/or billing records or a summary or narrative of the records shall be furnished by the physician within 15 business days after the date of receipt of the request and reasonable fees for furnishing the information.
- (c) Denial of Requests for Records. If the physician denies the request for copies of medical and/or billing records or a summary or narrative of the records, either in whole or in part, the physician shall furnish the patient a written statement, signed and dated, within 15 business days of receipt of the request stating the reason for the denial and how the patient can file a complaint with the federal Department of Health and Human Services (if the physician is subject to HIPAA) and the Texas Medical Board. A copy of the statement denying the request shall be placed in the patient's medical and/or billing records as appropriate.
- (d) Contents of Records. For purposes of this section, "medical records" shall include those records as defined in §165.1(a) of this title (relating to Medical Records) and shall include copies of medical records of other health care practitioners contained in the records of the physician to whom a request for release of records has been made.
- (e) Allowable Charges.
- (1) Paper Format.
- (A) The physician responding to a request for such information in paper format shall be entitled to receive a reasonable, cost-based fee for providing the requested information.
- (B) A reasonable fee for providing the requested records in paper format shall be a charge of no more than \$25 for the first twenty pages and \$.50 per page for every copy thereafter.
- (2) Other Charges.
- (A) If an affidavit is requested, certifying that the information is a true and correct copy of the records, whether in paper, electronic or hybrid format, a reasonable fee of up to \$15 may be charged for executing the affidavit.
- (B) A physician may charge separate fees for medical and billing records requested.
- (C) Allowable charges for copies of diagnostic imaging studies are set forth in §165.3 of this title (relating to Patient Access to Diagnostic Imaging Studies in Physician's Office) and are separate from the charges set forth in this section.
- (3) A reasonable fee for records provided in a paper, electronic or hybrid format may not include costs associated with searching for and retrieving the requested information, and shall include only the cost of:
- (A) copying and labor, including, compiling, extracting, scanning, burning onto media, and distributing media;
- (B) cost of supplies for creating the paper copy or electronic media (if the individual requests portable media) that are not prohibited by federal law;
- (C) postage, when the individual has requested the copy or summary be mailed; and (D) preparing a summary of the records when appropriate.
- (f) Emergency Requests. The physician providing copies of requested medical and/or billing records or a summary or a narrative of such records shall be entitled to payment of a reasonable fee prior to release of the information unless the information is requested by a licensed Texas health care provider or a physician licensed by any state, territory, or insular possession of the United States or any State or province of Canada if requested for purposes of emergency or acute medical care.
- (g) Non-emergent Requests. In the event the physician receives a proper request for copies of medical and/or billing records or a summary or narrative of the records for purposes other than for emergency or acute medical care, the physician may retain the requested information until payment is received. If payment is not routed with such a request, within ten calendar days from receiving a request for the release of such records, the physician shall notify the requesting party in writing of the need for payment and may withhold the information until payment of a reasonable fee is received. A copy of the letter regarding the need for payment shall be made part of the patient's medical and/or billing record as appropriate.
- (h) Improper Withholding for Past Due Accounts. Medical and/or billing records requested pursuant to a proper request for release may not be withheld from the patient, the patient's authorized agent, or the patient's designated recipient for such records based on a past due account for medical care or treatment previously rendered to the patient.