

## 2022 Ohio Maximum Fees for Copying Medical Records

The Ohio Department of Health (the "Department") published its 2022 Medical Records Price Index<sup>1</sup> in accordance with the Ohio Revised Code<sup>2</sup> which sets forth that the fees charged for the copying of medical records may be adjusted annually. Each year, the Department publishes the prices that a healthcare provider or medical records company may charge for the duplication of a patient's medical record. In addition, the law provides that a health care provider or medical records company must provide free of charge one copy of a patient's medical record and one copy of any record regarding treatment performed subsequent to the original request, not including copies of records already provided, upon requests by the Ohio Bureau of Workers' Compensation, the Ohio Industrial Commission, Medicaid or a county Department for Jobs and Family Services, the Attorney General, or a patient, patient's personal representative or authorized representative – when such records are necessary to support claims for Social Security benefits under Title II or Title XVI of the "Social Security Act."<sup>3</sup>

If a fee may be charged, the amount charged depends upon who made the request – the patient, his/her personal representative, or a third party. The law sets forth that a patient's personal representative is defined as a minor patient's parent or court-appointed guardian, an individual with a durable power of attorney, the executor of an estate, or the individual responsible for an estate if it is not probated. The law does not permit a patient's attorney, spouse, or parent to automatically step into the role of "personal representative."

If a medical record is requested by the patient or his/her personal representative, the following fees may be applied in 2022:

- For data recorded on paper or electronically: \$3.51 per page for the first 10 pages; \$0.73 per page for pages 11-50; and \$0.29 per page for pages 51 and higher.
- For data resulting from an X-ray, MRI, or CAT Scan, recorded on paper or film: \$2.41 per page
- Postage: Actual costs incurred by the healthcare provider or medical records company with respect to postage costs.

If a medical record is requested by anyone other than the patient or the patient's personal representative, the following fees may be applied in 2022:

- Records search fee: \$21.65
- For data recorded on paper or electronically: \$1.42 per page for the first 10 pages; \$0.73 per page for pages 11-50; and \$0.29 per page for pages 51 and higher.
- For data resulting from an X-ray, MRI, or CAT Scan, recorded on paper or film: \$2.35 per page.
- Postage: Actual costs incurred by the healthcare provider or medical records company with respect to postage costs.

If you have questions or would like additional information regarding this alert, please do not hesitate to contact:

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<sup>1</sup><https://odh.ohio.gov/know-our-programs/medical-records-price-index/resources>

<sup>2</sup>Ohio Revised Code Section 3701.742

<sup>3</sup>Ohio Revised Code Section 3701.741(C)