

Patient Medical Records Access

By: Nicole Dube, Principal Analyst
February 19, 2020 | 2020-R-0069

Issue

This report provides an overview of state laws on patient access to medical records from individual health care providers in a question and answer format.

Do Patients Have Access to Their Medical Records?

The answer is yes. State law requires individual health care providers, with limited exceptions, to give patients who ask, complete and current information they have about their patients' diagnosis, treatment, and prognosis. Providers must also notify patients of any test results they possess or request for purposes of diagnosis, treatment, or prognosis ([CGS § 20-7c\(b\)](#)).

A patient may obtain copies of his or her medical records by asking the provider in writing. The patient's attorney or authorized representative can also make the request. The records include bills, x-rays, copies of lab report results, prescriptions, contact lens specifications under certain conditions, and other technical information used to assess the patient's health condition. The provider must supply the health record within 30 days of the request ([CGS § 20-7c\(d\)](#)).

When Can a Health Care Provider Withhold This Information?

By law, a health care provider can withhold medical information from a patient if he or she reasonably determines that the information would be detrimental to the patient's physical or mental health or would likely cause the patient to harm him- or herself or someone else. In this case, the provider can supply the information to an appropriate third party or another provider who can release it to the patient. A patient aggrieved by a provider's decision to withhold information

can, within 30 days of the decision, petition the Superior Court for a disclosure order ([CGS § 20-7c\(e\)](#)).

Is There a Cost to Obtain Patient Medical Records?

A health care provider can charge up to 65 cents per page, including any applicable research or handling fees, related costs, and first-class postage to supply a patient's health record. The provider can also charge a patient the amount necessary to cover the cost of material for providing a copy of an x-ray. A provider cannot impose these charges if the patient documents that the records are necessary to support a Social Security or veterans' benefits claim or appeal.

A provider cannot refuse to return to a patient the original or copied medical records from another provider. When returning these records, the provider may keep copies for the patient's file as long as the provider does not charge the patient for the copying costs ([CGS § 20-7c\(d\)](#)).

Can Laboratory Test Results be Reported Directly to a Patient?

State law generally does not allow the direct reporting of laboratory test results to patients. But, they may be reported to patients upon the written request of the provider who ordered the testing ([Conn. Agencies Reg., § 19a-36-D2](#)). If a provider asks the patient to undergo repeated testing at regular intervals over a specific time period, the provider can issue a single authorization allowing a laboratory to give all the test results directly to the patient. The testing must be to determine a diagnosis, prognosis, or recommended treatment course ([CGS § 20-7c\(c\)](#)).

Generally, this prohibition is designed to protect the patient by insuring proper explanation and interpretation of laboratory findings and avoiding possible harmful misinterpretations.

Does the Law on Patient Access to Medical Records Apply to Mental Health Conditions?

The law specifies that its provisions on patient access to medical records ([CGS § 20-7c\(a\)-\(h\)](#)) do not apply to any information related to psychiatric or psychological problems or conditions ([CGS § 20-7c\(f\)](#)). (There are separate laws that address mental health records.)

To Which Health Care Providers Do the Above Provisions Apply?

The law applies to people licensed or certified to provide the following health care services: medicine and surgery, chiropractic, naturopathy, athletic training, physical therapy, occupational therapy, substance abuse counseling, radiography, midwifery, nursing, dentistry, dental hygiene, optometry, optics, respiratory care, perfusion, pharmacy, psychology, marital and family therapy, clinical social work, professional counseling, veterinary medicine, massage therapy, electrology, hearing instruments, speech pathology and audiology, and emergency medical services ([CGS § 20-7b](#)).

Can a Patient's Medical Records be Released to Another Provider?

If a patient asks in writing, a provider must furnish a copy of the patient's health record to another provider. This includes x-rays, copies of lab reports, prescriptions, and other technical information used to assess the patient's condition. The written request must include the receiving provider's name. The patient is responsible for the reasonable costs of providing the information ([CGS § 20-7d](#)).

In addition, if a patient or provider who orders medical tests for the patient requests it, a clinical laboratory must supply the test results to any other provider seeing the patient for treatment, diagnosis, or prognosis purposes ([CGS § 20-7c\(b\)](#)).

ND:bd