

1. Background

Your attorney uses software from Arctriever to request and manage documents, records, and evidence for your case. A significant component of your claim or case is medical records, billing statements, and medical imaging studies, collectively known as protected health information.

Healthcare providers, especially the release of information companies that work for them, want to charge as much as possible to send your attorney a copy of your records. Those charges are case expenses and deducted from any settlement you may receive. To minimize the costs, your attorney uses a different request methodology. It is called an individual right of access or patient access request, and it directs the health care provider or release of information company to send you an electronic copy of your medical records, billing statements, and imaging studies. By sending the information directly to you, you and your attorney avoid excessive costs and case expenses and compel the provider to send the records much faster than they usually would.

The difference in record costs can sometimes be staggering. For instance, an attorney in Boston, MA, reduced the price of a medical record containing over 15,000 pages from almost \$9,500 to less than \$100 by simply having the records delivered to their client instead of their office.

2. Advice

As a result, some healthcare providers or release of information companies may contact you to confirm information about the request so they can send the records to your attorney at a much higher cost. Here are some tips if an unknown person contacts you about the request.

1. Do not divulge any personal information, as someone could try to steal it and commit fraud. Do not do so even if they ask you to confirm the information they claim to have.
2. Ask them if they have a written request to release information to you. If they say yes, tell them to follow the directions in the written request. If they say no, hang up the phone.
3. Ask for their full name, company name, and direct contact information. After the call ends, share this information with your attorney.
4. If they tell you they can send the records to your attorney as a service for you, do not do it. They are trying to charge more for the records. Tell them to follow the instructions in the written request.
5. If you receive an email about the request, forward it to your attorney.
6. If you received mail about the request, forward it to your attorney.
7. They may tell you they need to know how the information will be used, or you must complete their HIPAA authorization. Neither is true.

The individual right of access request used by your attorney is clear, conspicuous, and specific. There is nothing they need to "confirm," there are no additional steps to take, and no further information is required. It is a ploy so they can charge your attorney more money or potentially steal your personally identifiable information. Tell them to adhere to the written request.