

Releasing Minors' Medical Records: Preparation Guide

This guide will help you prepare your staff to respond properly to requests for minors' medical records.

1. Policies and Procedures

Develop and publish policies and procedures that guide your staff on the proper manner to process a request for a minor's medical records. Include the following in your procedures:

Routine Requests

Spell out how to respond to the following routine request types:

- Requests by parents of an unemancipated child
- Requests by parents of an unemancipated child that is able to consent to certain treatments
 - STD/STI treatment
 - OB/GYN treatment
 - Substance abuse treatment
 - Mental healthcare
- Requests by parents of an emancipated child
- Requests by personal representatives
- Requests by stepparents
- Requests by biological parents of an adopted child
- Requests by a minor (emancipated and unemancipated)

Timeframe

- You must provide access to or copies of records no later than 30 days after the request.
- You may seek a one-time extension of 30 days if you provide the patient a written statement explaining the delay and when you will provide the records.

Format & Fees

- The format may be paper records or electronic records on a CD. The patient may request that you send records by email.
- Fees must be reasonable and cost-based, which includes labor, supplies, postage, and preparing for a summary (when applicable).

Denying Record Requests

Spell out the following processes:

1. Denying access to records,
2. Processing the patient's request for a review of the denial, and
3. Handling your review of the denial.

2. Employee Training

Provide special training to staff who are in a position to receive requests for access to minors' medical records, such as:

- Pediatrics staff
- Release of Information or Health Information Management Office
- Ancillary Services
- Front desk clerks

The training must be detailed and include the various routine requests that employees may encounter (see above). Provide training as often as required to ensure proper compliance and document the training.

Verbal Scripts

Develop verbal scripts your staff can use when they receive routine requests for minors' records. Scripts may help newer employees to respond to more complex requests. The scripts should mirror the procedures you spelled out in the policies (see above).