

# PENNSYLVANIA STATE BOARD OF VETERINARY MEDICINE



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## Release of Records

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### Handling Client Requests for Veterinary Medical Records

The most frequent inquiry received by the State Board of Veterinary Medicine relates to a veterinarian's refusal to provide the client or another veterinarian with a copy of an animal's veterinary medical record. These inquiries come from consumers – clients who have asked a veterinarian to release their animal's records and the veterinarian has refused; these inquiries also come from veterinarians who have been presented with an animal that was previously under the care of another veterinarian who has refused to provide the new veterinarian with the animal's records.

### ***The board may discipline your license for failing to furnish medical records.***

Section 21(23) of the Veterinary Medicine Practice Act, 63 P.S. § 485.21(23), authorizes the board to discipline a veterinarian for "failing to furnish a copy of a patient's medical records or failing to provide a patient's radiographs to another treating veterinarian, hospital or clinic upon the written request of an owner or owner's agent, or failing to provide the owner or owner's agent with a copy of the medical records within a reasonable period of time and upon proper request or waiver by the owner or owner's agent, or failing to comply with any other law or regulation relating to medical records. The furnishing of a summary of a patient's medical records shall be permissible only when a summary and not a copy of the records is requested."

### ***Records must be provided within three business days of when the client makes a written request for the records.***

In addition, a veterinarian "may not withhold the release of veterinary medical records or summaries to clients for nonpayment of a professional fee." However, releasing the records "does not constitute a waiver by the veterinarian of the fee claimed." See section 31.22 of the board's regulations, related to recordkeeping.

### ***A fee may be charged for retrieving and copying veterinary medical records for clients.***

The board's regulation allows a veterinarian to "charge a reasonable fee for duplicating veterinary medical records and for preparation of veterinary medical record file summaries for release to clients." The board did not promulgate a regulation setting forth what fee would be reasonable; however, the Pennsylvania Department of Health annually amends its regulation related to charges for medical records requested of physicians. Pursuant to this regulation, a physician may charge not more than \$1.34 per page for pages 1-20, not more than 99 cents for pages 21-60, and not more than 33 cents for pages 61-end. In addition, a physician may charge a flat fee of \$19.92 for the search and retrieval of records. In determining whether a charge is reasonable, a veterinarian should consider the actual cost of retrieving records and should also consider the maximum amounts allowable for physicians. See 40 Pa. Bulletin 6986 (Dec. 4, 2010).

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***Fees should not be charged for providing necessary records to another veterinarian.***

The board's regulations do not specifically address whether a veterinarian may charge another veterinarian for an animal's veterinary medical record. However, unlike the provisions in § 31.22 related to providing records to clients, the board's Rules of Professional Conduct, Principle 7: Responsibility to Clients and Patients, provides as follows related to providing records to another veterinarian:

(g) If a client desires to consult with another veterinarian about the same case, the first veterinarian shall readily withdraw from the case, indicating the circumstances on the veterinary medical record of the animal, and shall forward copies of the animal's veterinary medical records in a reasonable period of time to other veterinarians who request them. For purposes of this subsection and subsection (h), the reasonableness of the period of time shall be based on the nature of the animal's condition and the transfer shall be sufficiently timely to accommodate the animal's veterinary medical needs, but may not be longer than three business days after the client makes the request.

(h) If a client requests referral to another veterinarian or veterinary hospital, the attending veterinarian shall honor the request and facilitate the necessary arrangements, which include forwarding copies of the veterinary medical records of the animal in a reasonable period of time to the other veterinarian or veterinary hospital.

For more information about the State Board of Veterinary Medicine's regulations, visit the board's [website](#).

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