

Chapter HFS 117

FEES FOR COPIES OF HEALTH CARE PROVIDER RECORDS

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Note: Chapter HSS 117 was created as emergency rule effective January 1, 1993. Chapter HSS 117 was renumbered ch. HFS 117 under s. 13.93 (2m) (b) 1., Stats., and corrections were made under s. 13.93 (2m) (b) 6. and 7., Stats, Register, May, 1998, No. 509.

HFS 117.01 Authority and purpose. This chapter is promulgated under the authority of s. 908.03 (6m) (d), Stats., to establish uniform fees that are the maximum fees that may be charged for providing certified duplicate health care provider records requested by attorneys pursuant to s. 908.03 (6m) (c) 3., Stats.

History: Cr. Register, September, 1993, No. 453, eff. 10-1-93.

HFS 117.02 Applicability. This chapter applies to all attorneys who request certified duplicate health care records under s. 908.03 (6m) (c) 3., Stats., and to all health care providers who supply those records.

History: Cr. Register, September, 1993, No. 453, eff. 10-1-93.

HFS 117.03 Definitions. In this chapter:

- (1) "Department" means the Wisconsin department of health and family services.
- (2) "Health care provider" means a chiropractor licensed under ch. 446, Stats., a dentist licensed under ch. 447, Stats., or a health care provider as defined in s. 655.001 (8), Stats.
- (3) "Health care provider records" means all records related to the health of a patient prepared by or under the supervision of a health care provider.

History: Cr. Register, September, 1993, No. 453, eff. 10-1-93.

HFS 117.04 Request for duplicate records. An attorney requesting duplicate health care provider records concerning a patient shall provide sufficient information about the patient to permit identification and location of the specific records. The request shall include:

- (1) The correct name of the patient whose records are the subject of the attorney's request;
- (2) The patient's social security number, if known;
- (3) The patient's date of birth, if known;
- (4) A description of the records requested; and
- (5) The written informed consent of the patient or person authorized by the patient to give consent to release of the records, if required by law.

History: Cr. Register, September, 1993, No. 453, eff. 10-1-93.

HFS 117.05 Fees for duplicate records. A health care provider may charge an attorney no more than the following fees for supplying certified duplicate health care provider records pursuant to s. 908.03 (6m) (c) 3., Stats.:

- (1) For records displayed on paper medium, the greater of the following:
 - (a) \$8.40 per request; or
 - (b) 45 cents per record page for the first 50 pages, and 25 cents per record page over 50 pages;
- (2) For X-rays, \$4.00 per X-ray copy; and
- (3) The actual costs of postage or other means of delivering the requested duplicate records to the attorney.

History: Cr. Register, September, 1993, No. 453, eff. 10-1-93.