



Restrictions on Medical Records Copying Charges for 2023

Physicians generally may charge for providing copies of patient medical records. However, the Pennsylvania Judicial Code and federal law limit the allowable charge and in some cases prohibit any charge. The lesser of the Judicial Code and federal limits applies when both are applicable. Health care providers are not required to charge for providing copies. Physicians often waive any charge that otherwise would be allowed, especially when providing a copy to the patient or another physician or health care provider for treatment purposes.

The following charts show the maximum charges allowed by the Judicial Code for 2023. The Judicial Code limits do not apply to X-ray film or any other portion of a medical record which is not susceptible to photostatic reproduction. Unless otherwise noted in the chart, for paper copies provided to a patient or the patient's personal representative HIPAA only permits a reasonable cost-based fee for copying and postage. For electronic protected health information (ePHI), upon request of a patient, federal law requires health care providers to provide an electronic copy to the patient and to transmit an electronic copy to a third party. The fee for individuals receiving their own ePHI may not exceed the labor cost to copy and transmit the record.

For more information, please review the December 3, 2022 edition of the [Pennsylvania Bulletin \(pacodeandbulletin.gov\)](http://pacodeandbulletin.gov).

**The chart does not address patient confidentiality considerations, including whether a HIPAA patient authorization is required.*

General Rules				
Source of request	Copying (per page)		Retrieval	Postage, shipping, and delivery
Patient	Pages 1-20	\$1.83	Prohibited by HIPAA privacy rule	Actual cost
	Pages 21-60	\$1.36		
	Pages 61+	\$0.47		
	Microfilm	\$2.70		
Personal representative, such as parent of minor	Same as limits for patients		Prohibited by HIPAA privacy rule	Actual cost
Designee of patient, such as attorney with authorization	Same as limits for patients		\$27.14	Actual cost

Special Purpose Requests			
To support	Copying	Retrieval	Postage, shipping, and delivery
Social Security claim	\$34.40 flat fee	No additional charge permitted	Actual cost
Federal or state needs-based benefit program	\$34.40 flat fee	No additional charge permitted	Actual cost
The physician may require the requester to provide documentation of the purpose of the request, such as an appointment of representative form (SSA-1696-U4) when the patient's attorney makes the request for a Social Security claim.			

Third party requests			
Source of request	Copying	Retrieval	Postage, shipping, and delivery
Subpoena (except as below)	Same as limits for patients	\$27.14	Actual cost
Subpoena from district attorney	\$27.14	No additional charge permitted	Actual cost
Commonwealth agency (executive or independent), such as licensing board	Not permitted as general rule Allowed only if required by law or authorized by agency guidelines, statements of policy, or notice in Pennsylvania Bulletin		

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