

# **APPLICATION FOR ACCESS TO HEALTH RECORDS**

## **Access to Health Records Act 1990**

### **INFORMATION FOR APPLICANTS**

Since November 1991, patients have had the right to see their medical records. Also as of 24.10.2001 patients are now able to see anything their doctor has written about them and view all other correspondence in their file.

These guidelines should help answer you questions.

### **WHY SHOULD PATIENTS WISH TO SEE THEIR MEDICAL RECORDS?**

To make sure that the facts about them and their medical history and that nothing important has been left out.

To help the patient understand their condition and the treatment prescribed by their doctor.

To share responsibility with the doctor in promoting their general health and well being.

Because the records are about the patient's health.

### **WHAT RECORDS CAN THE PATIENT SEE?**

Anything which your family doctor has written in your records since the new regulations 24.10.2001.

### **HOW DO PATIENTS GAIN ACCESS TO THEIR RECORDS?**

Legally patients must give written notice of their wishes to see their records.

If patients ask for a copy of part of their records containing information recorded in the past 40 days, there will be no charge. If the notes you would like to see are older than 40 days, you will be asked to pay a fee which at present will not be more than £50.00 maximum for manual records.

For automated records the standard maximum fee remains at £10.00.

The doctor will respond to your request to see your records within 40 days, or within 21 days where the request is to see recently written notes.

### **WILL PATIENTS BE ABLE TO UNDERSTAND THE RECORDS?**

The patients will be given any explanation he or she may need and to have any questions answered either by the doctor or by another health professional in the practice team.

### **WILL THE PATIENT BE ABLE TO SEE ANYONE ELSE'S RECORDS?**

Owing to the relationship between doctor and patient being strictly confidential no-one will be allowed to see another person's health records, although there are certain exceptions:

## **CHILDREN**

Parents or guardians may see a child's records if the child agrees, or if the child cannot understand what is being asked and access is in the child's interest.

If a child is able to understand his or her own health record, he or she has a right to see them without asking a parent. Children however, will be encouraged to discuss their health and health care with their parents.

## **DEPENDANTS**

Patients will not normally be allowed to see the health records of the dependants, including those with mental or physical disability, without that person's consent.

## **CAN PATIENTS BE DENIED ACCESS TO HEALTH RECORDS?**

In special circumstances, yes - The law permits the withholding of selected information from the patient at any time if their doctor considers it may damage their health to reveal it at this time.

## **CAN PATIENTS APPEAL IF THEY ARE DISSATISFIED?**

Patients should always approach their doctor first who will be willing to discuss concerns they have over their records.

There is a formal appeal system if the patient is still not satisfied. Interested parties should consult their Community Health Council, Citizen's Advice Bureau or Law Centre.