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10/25/2012

To whom it may concern:

§ 90-411. Record copy fee.

A health care provider may charge a reasonable fee to cover the costs incurred in searching, handling, copying, and mailing medical records to the patient or the patient's designated representative. The maximum fee for each request shall be seventy-five cents (75¢) per page for the first 25 pages, fifty cents (50¢) per page for pages 26 through 100, and twenty-five cents (25¢) for each page in excess of 100 pages, provided that the health care provider may impose a minimum fee of up to ten dollars (\$10.00), inclusive of copying costs. If requested by the patient or the patient's designated representative, nothing herein shall limit a reasonable professional fee charged by a physician for the review and preparation of a narrative summary of the patient's medical record. This section shall only apply with respect to liability claims for personal injury, and claims for social security disability, except that charges for medical records and reports related to claims under Article 1 of Chapter 97 of the General Statutes shall be governed by the fees established by the North Carolina Industrial Commission pursuant to G.S. 97-26.1. This section shall not apply to Department of Health and Human Services Disability Determination Services requests for copies of medical records made on behalf of an applicant for Social Security or Supplemental Security Income disability. (1993, c. 529, s. 4.3; 1993 (Reg. Sess., 1994), c. 679, s. 5.5; 1995 (Reg. Sess., 1996), c. 742, s. 36; 1997-443, ss. 11.3, 11A.118(b).)

I would like to point out the following about this statute as it pertains to your client, "XXXXXX".

1. *"This section shall only apply with respect to liability claims for personal injury, and claims for social security disability..."* This statement is applicable to **claims** for disability. This patient does not have a balance with our office, therefore there is no claim. Since there is no claim involved with our office, it is not applicable.
2. *"This section shall not apply to Department of Health and Human Services Disability Determination Services requests for copies of medical records made on behalf of an applicant for Social Security or Supplemental Security Income disability."* We have not received a request for medical records from DHHS Disability Determination Services. If that department sends a request for medical records, we will send them a copy of the medical records.

We will forward a copy of your client's medical record to your office as soon as we receive a check for \$50 since that is a better approximation of how much it will cost our office to retrieve and copy the file.

Sincerely,

Ballantyne Medical Associates Billing Dept.

Patient Signature

Date