

Section 164.524(c)(4), HIPAA states that:

"If the individual requests a copy of the protected health information...the covered entity may impose a reasonable, cost-based fee, provided that the fee includes only the cost of: (i) Copying, including the cost of supplies for an labor of copying, the protected health information requested by the individual; (ii) Postage, when the individual has requested the copy...to be mailed, and (iii) Preparing an explanation or summary of the protected health information, if agreed to by the individual as required by paragraph (c)(2)(ii) of this section."

This lower rate excludes charging individuals for such items as the records search, retrieval of the file, administrative costs, clerical costs, etc., although these items typically constitute a considerable percentage of an invoice from Photo-Stat for performing these services. In regulated states, the statutory/regulatory per-page fee is deemed to be reasonable for this purpose under HIPAA.

Attorney and insurer rates will not change under HIPAA.