



Annual Adjustment to the Fee for Search and Duplication of a Medical Record

The Department of Health and Environmental Control (DHEC) is responsible for calculating an annual adjustment to the fee charged for the search and duplication of medical records in accordance with S.C. Code §§44-7-325 and 44-115-80. Specifically, the annual adjustment is based the Consumer Price Index for all Urban Consumers, South Region (CPI-U).

The fees authorized by to be charged pursuant to S.C. Code §§44-7-325 and 44-115-80 shall be adjusted by a **0.8% increase** for the current fiscal year, e.g., the fee of \$100 shall be adjusted to \$100.80.

The statutory provision pertaining to health care facilities and providers is provided below, in part. S.C. Code Section 44-7-325(A)(1). The additional statutory provision pertaining to physicians and other owners of medical records is available at S.C. Code §44-115-80.

SECTION 44-7-325. Fee for search and duplication of medical record; time limits for compliance with request for record.

(A)(1) A health care facility, as defined in Section 44-7-130, and a health care provider licensed pursuant to Title 40 may charge a fee for the search and duplication of a medical record, whether in paper format or electronic format, but the fee may not exceed:

(a) for records requested to be produced in an electronic format, the total charge to the requestor may not exceed one hundred fifty dollars per request regardless of the number of records produced or number of times the patient has been admitted to the health care facility. The charge, not to exceed one hundred fifty dollars, shall be calculated as follows: sixty-five cents per page for the first thirty pages provided in an electronic format and fifty cents per page for all other pages provided in an electronic format, plus a clerical fee not to exceed twenty-five dollars for searching and handling, which combined with the per page costs may not exceed a total of one hundred fifty dollars per request, and to which may be added actual postage and applicable sales tax;

(b) for paper requests, sixty-five cents per page for the first thirty printed pages and fifty cents per page for all other printed pages, plus a clerical fee not to exceed twenty-five dollars for searching and handling, which combined with the per page print costs may not exceed two hundred dollars per admission to the health care facility, and to which may be added actual postage and applicable sales tax. The patient may have more than one admission on file when the record request is made. If multiple admissions exist, the print fee applies per admission, but only one clerical fee may be charged. Multiple emergency room records without an admission to the hospital are considered one admission;

(c) notwithstanding whether the records are requested in print or electronic format, the search and handling fees in subitems (a) and (b) are permitted even though no medical record is found as a result of the search, except where the request is made by the patient; and

(d) all of the fees allowed by this section, including the maximum, must be adjusted annually in accordance with the Consumer Price Index for all Urban Consumers, South Region (CPI-U), published by the U.S. Department of Labor. The Department of Health and Environmental Control is responsible for calculating this annual adjustment, which is effective on July first of each year, starting July 1, 2015.

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