

Kingussie & Laggan Medical Practices

Access to medical records

HOW TO REQUEST A COPY OF YOUR HEALTH RECORDS

IMPORTANT – Please read before completing application form for access to health records.

1. INTRODUCTION

The Data Protection Act 1998 and the Access to Health Records Act 1990 give patient the right to apply for access to their health records.

2. WHAT ARE HEALTH RECORDS?

A health record contains information supplied by the patient, parent and by others involved in an individual's healthcare. This practice holds records in both paper and computerised format

- Written Record - up to 2007/ 2008
- Computerised Record - All medical data entry in both practices is now computerised and we are currently working towards summarising all medical histories, this work is almost completed.

3. WHO CAN APPLY?

Access can be requested:

- To your own records
- On behalf of a child if you are the person with legal parental responsibility
- On behalf of another person with that person's written consent
- By a person appointed by the court to manage the affairs of a person who is deemed incapable of managing his/her affairs
- By a person acting on behalf of a person who has died or a claim arising from death (under the Access to Health Records Act 1990)

4. HOW TO APPLY

An application for access to health records held by this practice must be made in writing. We must have sufficient information to enable us to identify the patient and locate the records. An application form should be attached to this information leaflet or you can request one from the receptionist.

5. WHERE SHOULD APPLICATIONS BE SENT AND HOW MUCH DOES IT COST?

Completed applications should be sent to: Practice Manager, Kingussie/Laggan Medical Practices, The Old Distillery Surgery, Ardvonie Park, Kingussie, PH21 1ET

The fee for this service is outlined on the application form.

6. WHAT HAPPENS NEXT?

Once we receive your completed form and fee, we will locate the records, prepare the required copy and obtain the Doctor's authority to release them.

7. WHY DO I HAVE TO PAY FOR IT?

The fee is charged to cover the cost of copying, staff time and GP time; please refer to the application form for a schedule of fees.

8. YOUR RIGHTS UNDER THE DATA PROTECTION ACT

- To be granted access to records within a maximum of 40 days from receipt of your written request.
- To request access to information held in manual and computerised format or any other format, of whatever date.
- To an explanation and clarification of anything that is unclear.
- To ask for corrections to be made to the record. If the health professional does not agree with this they are obliged to make a note on the record that the correction was requested.
- To complain if satisfactory service is not given.

9. ADDITIONAL INFORMATION

Very occasionally access may be denied (under the Data Protection Act) to a whole or part of a record. Examples of denial include (this list is not exhaustive):

- If we do not have sufficient information to locate your record
- If a disproportionate effort is required to copy a whole record. If this is the case, then with your agreement we can either supply an extract or the record may be viewed.
- If the record contains third party information and the third party does not agree to disclosure.

10. NOTES FOR PATIENTS APPLYING THROUGH A REPRESENTATIVE

Your health records contain the following information:

- Why you saw a health professional.
- Details of clinical findings, care and advice given by the health professional and information given by you.
- Options for care and treatment the health professional discussed with you and decisions made.
- Details of action health professionals have taken and the outcome.

By signing the application form you are agreeing to your representative receiving copies of your health records containing the above information.

Therefore, it is very important to complete sections 4, 5 and 6 of the application form in as much detail as possible otherwise you may be consenting to reveal more information than you wish to your representative.

11. NOTES FOR REPRESENTATIVES APPLYING ON BEHALF OF PATIENTS

If you are a representative applying on behalf of the patient e.g. a solicitor, then you must discuss the implications of the request before you ask your client to sign the form. The patient should be clear as to the purpose for the request and the notes, once received, should be used for no other purpose without the clients consent.

If your client is unable to read the above 'notes for patients applying through a representative' then please take time to communicate this information to them.

It is very important to complete sections 4, 5, and 6 of the form in as much detail as possible to prevent access being given to more information than is necessary for the purpose it is required.

Access to patient records will only be granted with an-up-to date consent form of no more than six months.