

Requirements for patient notification regarding patient records when retiring/closing a practice:

Physicians are responsible for making appropriate arrangements for the disposition of medical records when a practice closes. Older physicians should choose a designee – a family member, estate attorney, or any other appropriate custodian – to be responsible for the records if they pass away prior to the time limit for record keeping. When the physician passes, records become property of the estate.

Letters should be mailed to all patients indicating the closing. A newspaper ad should be placed for two weeks to notify patients who were not reached by letter of the practice closing date and a phone number to call for record requests. Both the letter and the newspaper ad should be repeated in three months. Finally, we recommend continuation of a phone service with a set outgoing message.

All communications, including the phone message, should include the following information:

- An address to request medical records in writing
- An indication that medical record requests should include the patient's name, DOB, last four digits of their social security number, and an address for records to be sent
- Any cost associated with record request

By law, physicians have 21 business days to send records to the address given in written inquiries.

You would need to have an active phone line for a minimum of six months with a recorded message with instructions on how to request records. A standard hard-line phone with message capabilities is adequate.

If, at any time after the six months, you would like to no longer offer the service of providing the individual patients with their records, you may do so by notifying the Board of Physicians. An additional newspaper ad must be placed for two weeks and a letter must be sent informing patients their records will be destroyed after a specified date.

Completing these steps will satisfy your due diligence in notifying all of your patients. We do, however recommend you retain the patient records for seven years in the event of any type of litigation.