

Know Your Legal Rights

*“Know Your Legal Rights”
is a free legal education series
by [Dixon Law Office](#).*

*To request more information,
call 888-354-9880 or email
contact@dixonlawoffice.com.*



How To Get Your Medical Records

There are many reasons
someone may want to get a
copy of their medical records.

If you change doctors, your new doctor will want a copy of your prior doctor's records. If you have had a serious medical condition, you may want to see those records. If you believe you or a loved one may have been the victim of a medical error, the records often provide part of the story.

Whatever the reason, know that State and Federal law allows some people to get copies of medical records. What is described below is who can get them and how to go about doing it.

1. Who Can Get Medical Records?

If you are the patient (the person who received the medical treatment), you are entitled to get a copy of all your medical records, period. In fact, most laws recognize the records as yours and the medical provider is simply holding them for you.

If a child was treated, generally a parent can get a copy of the records. Some medical providers may require proof that the requesting person is a parent.

If the patient is unable to make decisions for themselves, what lawyers call “incompetent,” things get a little more complicated. An incompetent adult, for example, might be an elderly parent who is suffering from a mental illness. In those cases, some medical providers may require more work. A court case may need to be filed and a court may have to “declare” the person incompetent. Such actions are routine for many lawyers but not necessarily easy.

If the patient died, most medical providers require a court order appointing an administrator. The administrator is a legal representative appointed by a court to act on behalf of the deceased person. Because Court action can be expensive, Illinois has a law that allows a relative to get medical records, in some circumstances without a court order. Other States may have similar rules and it is always best to check with a lawyer first.

2. How Do I Get Them?

In most circumstances, getting your medical records simply requires asking for them. Many medical providers have forms they require be filled out. Some larger institutions have online forms making the process fast and easy. Occasionally, some medical providers will give you your records if you just ask when you are there.

Be prepared to pay for it. It costs the medical provider money to copy the records, including the time of the person copying them so getting your medical records is rarely free. In some States (including Illinois), the amount the provider can charge is tightly regulated. Check local rules for costs.

What you will get is a good question to ask. Most medical charts include notes by the nurses, notes by the doctors, prescription records, testing results, reports from x-rays, MRI's, CT's and others. Many more types of records can be included. It is usually best to request everything rather than relying on the person copying the records to decide what you get.

3. What If They Refuse To Give Me My Records?

Unfortunately, some medical providers refuse to produce records even when provided with a valid request. The stated reasons vary but are rarely valid. If you believe you have been wrongfully denied medical records, it is wise to consult a lawyer. Sometimes, a simple phone call will solve the problem. There have been occasions when a lawyer has been required to file a lawsuit in order to get records. In some circumstances there are penalties for wrongfully withholding medical records.

4. What If The Records Have Been Altered?

If you believe medical records have been altered, there are several steps to take. However, the first step should be to consult a lawyer who can review the records. The sad fact is that medical records do sometimes get altered. Proving it can be difficult, particularly in the age of electronic record keeping. There are almost always State and Federal penalties for altering medical records.

If you or a loved one needs to obtain medical records, following these simple steps can help you get it done. If you still have problems, contact an experienced personal injury attorney who can discuss the steps to take and your legal rights.

“Know Your Legal Rights” Series

This educational series by Dixon Law Office provides clients and friends with information on a number of important legal topics.

The series includes:

- 4 Questions You Must Ask if You Fall
- 5 Action Steps After a Car Accident (C-R-A-S-H)
- 9 Things to Know Before Hiring a Personal Injury Attorney
- How to Get Your Medical Records
- Property Damage: 4 Simple Steps for Getting Top Dollar

DIXON LAW OFFICE

Injury Attorneys

Making it right.

1415 W. 55th St., Suite 101

La Grange Illinois 60525

www.AttorneysMakingItRight.com

Phone: 708-354-9880 or 888-354-9880

E-mail: contact@dixonlawoffice.com





About Dixon Law Office

Dixon Law Office represents victims of personal injury accidents. Our attorneys have more than 20 years of experience helping victims after serious and catastrophic injuries, including car and motorcycle accidents, work injuries, and many others. Founded on Christian principles of honesty, fairness and justice, we can help you and your family get the compensation you deserve. Call us today at 888-354-9880 or visit www.AttorneysMakingItRight.com.

Know Your Legal Rights

*"Know Your Legal Rights"
is a free legal education series
by [Dixon Law Office](#).*

*For more information or to
discuss any legal questions,
call 888-354-9880 or email
contact@dixonlawoffice.com.*



DIXON LAW OFFICE
Injury Attorneys 
Making it right.

1415 W. 55th St., Suite 101
La Grange, Illinois 60525
www.AttorneysMakingItRight.com
Phone: 708-354-9880 or 888-354-9880
E-mail: contact@dixonlawoffice.com