

**UTAH MAXIMUM FEES ALLOWED FOR PROVIDING HEALTH CARE  
INFORMATION  
EFFECTIVE JANUARY 1, 2017**

During the 2015 General Session, the Utah Legislature passed HB 400 which, among other things, amended the fees that could be charged for medical record reproduction located at 78B-5-618 of the Utah Code.

An electronic copy of the law can be located here -  
[https://le.utah.gov/xcode/Title78B/Chapter5/78B-5-S618.html?v=C78B-5-S618\\_2015051220150512](https://le.utah.gov/xcode/Title78B/Chapter5/78B-5-S618.html?v=C78B-5-S618_2015051220150512)

HB 400 provided in paragraph (8) that, *“Beginning January 1, 2016, the fee for providing patient's records shall be adjusted annually as specified in this section based on the most recent changes to the Consumer Price Index, as published by the Bureau of Labor Statistics of the United States Department of Labor, that measures the average changes in prices of goods and services purchased by urban wage earners, clerical workers' families, and single workers living alone.”*

To calculate the Consumer Price Indexed rates UHA used the following United States Department of Labor, Bureau of Labor Statistics Calculator -  
[https://www.bls.gov/data/inflation\\_calculator.htm](https://www.bls.gov/data/inflation_calculator.htm)

Below are the adjusted rates as they appear in 78B-5-618 of the Utah Code:

“(4) Except for records provided by a health care provider under Section 26-1-37, a health care provider who provides a copy of a patient’s records to a third party authorized to receive records:

- (a) shall provide the copy within 30 days after receipt of notice; and
- (b) may charge a reasonable fee, but may not exceed the following rates:
  - (i) \$21.16 for locating a patient’s records, per request;
  - (ii) reproduction charges may not exceed ~~53~~ 54 cents per page for the first 40 pages and ~~32~~ 33 cents per page for each additional page;
  - (iii) the cost of postage when the third party has requested the copy be mailed; and
  - (iv) any sales tax owed under Title 59, Chapter 12, Sales and Use Tax Act.

(5) Except for records provided under Section 26.1.37, a contracted third party service which provides medical records, other than a health care provider under Subsections (3) and (4), who provides a copy of a patient’s records to a party authorized to receive records:

- (a) shall provide the copy within 30 days after the request; and
- (b) may charge a reasonable fee, but not exceed the following rates:
  - (i) \$21.16 for locating a patient’s records, per request;
  - (ii) reproduction charges may not exceed ~~53~~ 54 cents per page for the first 40 pages and ~~32~~ 33 cents per page for each additional page;
  - (iii) the cost of postage when the third party has requested the copy be mailed; and

(iv) any sales tax owed under Title 59, Chapter 12, Sales and Use Tax Act.”

Additionally, HB 400 provided that records produced electronically on a digital or electronic medium be charged different fees in paragraph (7) as follows:

- “(7) (a) *The per page fee in Subsections (3), (4) and (5) applies to medical records reproduced on paper.*
- (b) *For record requests made on or before June 30, 2018, the per page fee for producing a copy of records on a digital or electronic medium shall be 60% of the per page fee otherwise provided in this section, regardless of whether the original medical records are stored in electronic format.*
- (c) *For record requests made on or after July 1, 2018, the per page fee for producing a copy of records on a digital or electronic medium shall be 50% of the per page fee otherwise provided in this section, regardless of whether the original medical records are stored in electronic format.*”

As a result of paragraph (7), records produced on a digital or electronic medium should be charged at 60% of the fees in paragraph (4) and (5) or 32 cents per page instead of 54 cents per page; and 20 cents per page instead of 33 cents per page.

The above rates will be adjusted annually in accordance with paragraph (8) of 78B-5-618 of the Utah Code every January 1.