



DIVISION OF DEVELOPMENTAL DISABILITIES
Olympia, Washington

TITLE: FEES CHARGED FOR CLIENT RECORDS POLICY 13.05

Authority: [45 CFR Section 164.524 \(c\) \(4\)](#)
[Chapter 70.02.010 \(12\) RCW](#)
[WAC 388-01-080](#)

Reference: DSHS Administrative Policy 5.02, *Public Disclosure of and Access to DSHS Records*

DDD Policy 13.01, *Public Disclosure of Records and Safeguarding of Confidential Information*

PURPOSE

This policy provides direction for staff of the Division of Developmental Disabilities (DDD) when responding to requests for information in the client record from the client and/or the client's legal representative.

SCOPE

This policy applies to all DDD organizational units.

Note: Circumstances in which DDD employees are requesting client records from medical providers external to DSHS are outside the scope of this policy. For additional information, refer to [WAC 246-08-400](#), "How much can a medical provider charge for searching and duplicating medical records information on fees that may be paid by DSHS/DDD for these records?"

DEFINITIONS

Client means a person who has a developmental disability as defined in [RCW 71A.10.020\(3\)](#) and has been determined eligible to receive services by the division under [Chapter 388-823 WAC](#).

Client Record includes all information held by DSHS that relates to a particular client.

Legal representative means a parent of a person who is under eighteen (18) years of age; a person's legal guardian; a person's limited guardian when the subject matter is within the scope of limited guardianship; a person's attorney at law; a person's attorney in fact; or any other person who is authorized by law to act for another person.

Standard Copying Cost is the charge for duplicating most DSHS records.

POLICY

- A. DDD shall honor a client's right of access to inspect and obtain a copy of the information included in the client record for as long as the information is maintained in compliance with DSHS retention policy.
- B. DDD will charge for duplicating client records at the request of the client and/or his or her legal representative as follows:
 - 1. One request within a twelve (12) month time period at no charge;
 - 2. Additional requests within the same time period up to twenty (20) pages at no charge;
 - 3. For any requests during the same time period exceeding twenty (20) pages, a maximum of \$0.15 per page or the actual cost of reproduction, if not a standard black and white photocopy;
 - 4. Postage will be charged at actual cost and documents will be sent by either registered or certified mail if they contain protected health information. DDD staff may give the requestor the option of picking up the documents to avoid paying for mail delivery.
 - 5. DDD may waive copying and postal fees if:
 - a. Providing a copy of the record assists in managing a program; or
 - b. The expense of billing exceeds the copying and postage costs.

PROCEDURES

For information about receiving, reviewing, and responding to requests for copies of documents, refer to DSHS Administrative Policy 5.02, *Public Disclosure of and Access to DSHS Records*, and DDD Policy 13.01, *Public Disclosure of Records and Safeguarding of Confidential Information*.

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EXCEPTIONS

No exceptions to this policy may be authorized without the prior written approval of the Division Director.

SUPERSESSSION

DDD Policy 13.05

Issued January 1, 2009

Approved: /s/ Linda Rolfe
Director, Division of Developmental Disabilities

Date: September 4, 2012