

# HIPAA Fact Sheet: The P is for Portability

## Key facts about patient requests for electronic health data



### ACCESS

**Patients have the right to electronic copies (e-copies) of their health records.**

If records are kept electronically, patients or their representatives can request an e-copy of their health data. In most cases, e-copies must be given to the patient within no more than 30 days; sooner if possible. Patients do not need to give a reason for their request. This information helps patients manage their own health and care for loved ones.

### FORMAT

**Patients have the right to their data in specific formats, if readily producible.**

Data can be in a structured format (CCDA, etc.) or read-only (PDF, etc.). Patients need structured data if they want to use a computer or mobile app to organize or analyze it. Providers are encouraged to help patients determine which electronic format best meets their needs.



### DELIVERY

**Providers can email patients a copy of their records.**

HIPAA allows providers to send a patient's records to a mainstream email account (Gmail, etc.) at the patient's request. Providers should advise patients that traditional email may not be secure, and patients can decide to accept this risk. A patient can also request other methods, such as mobile health and other applications (texting, video apps, etc.).

### COST

**The federal government encourages providers to offer patients their records for free.**

However, certain fees are permissible; visit [www.hhs.gov/hipaa](http://www.hhs.gov/hipaa) for a full explanation, including more on state laws. Common errors include inappropriate per-page fees for records maintained electronically, charging for patient portals, and search and retrieval fees.

