



## SCIOTO VALLEY FIRE DISTRICT EMS RECORDS RELEASE POLICY

### **PURPOSE:**

The purpose of this policy is to establish formal procedures for the release of Emergency Medical Services (EMS) records maintained by the Scioto Valley Fire District (SVFD) in compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the HIPAA Privacy Rule (45 C.F.R. Parts 160 and 164), Ohio Revised Code §149.43, §3701.74, §4765.11, and all other applicable federal and state laws.

### **SCOPE:**

This policy applies to all EMS Patient Care Reports (PCRs), medical documentation, billing records, electronic patient care records, photographs, audio recordings, and any other records containing Protected Health Information (PHI) that are created, received, or maintained by the Scioto Valley Fire District.

### **POLICY STATEMENT:**

EMS records contain confidential medical information and are not considered public records. These records are protected by HIPAA and Ohio law. The Scioto Valley Fire District will only release EMS records in accordance with this policy and applicable law. No employee or representative of the district is authorized to release EMS records except as specifically permitted herein.

### **DEFINITIONS:**

**Protected Health Information (PHI):** Individually identifiable health information transmitted or maintained in any form, including written, electronic, or verbal, as defined by HIPAA.

**Authorized Representative:** A person legally permitted to obtain medical records on behalf of a patient, such as a parent of a minor child, legal guardian, executor of an estate, or an individual with valid power of attorney for healthcare.

**EMS Patient Care Report (PCR):** Documentation generated by EMS personnel regarding the assessment, treatment, and transport of a patient.

**RELEASE OF RECORDS:**

AUTHORIZED RECIPIENT'S EMS records may be released only to the following:

1. The patient to whom the record pertains.
2. A parent or legal guardian of a minor patient.
3. A personal representative or executor of a deceased patient.
4. An individual specifically authorized by the patient through a valid written authorization.
5. Healthcare providers involved in the patient's care for purposes of treatment.
6. Insurance companies or billing agencies for payment purposes.
7. Law enforcement agencies, coroners, or other governmental entities when specifically authorized by law.
8. Pursuant to a valid court order, subpoena, or other lawful legal process.

**REQUIRED AUTHORIZATION:**

Except where disclosure is otherwise permitted or required by law, EMS records will only be released upon receipt of a properly completed and signed Request for Access to Protected Health Information (PHI) form.

Requests for EMS records must be submitted using the district's official form available at: <https://sciotovalleyfd.com/wp-content/uploads/2023/12/EMS-PHI-Request-Form.pdf>

A valid authorization must include:

- Patient name and identifying information
- Specific records requested
- Purpose of the request
- Signature of the patient or authorized representative
- Date of authorization
- Proof of identity and authority when applicable

Requests submitted without proper authorization will be denied in writing.

## **ATTORNEY AND THIRD-PARTY REQUESTS**

Attorneys, insurance companies, and other third parties requesting EMS Patient Care Reports or other protected health information must submit requests through the Scioto Valley Fire District's authorized records management provider, Ohio Billing, Inc., using the secure ChartSwap portal at:

<https://chartswap.my.salesforce-sites.com/sitelogin>

Ohio Billing, Inc. serves as the district's authorized agent for EMS records processing. Requests submitted outside of ChartSwap may be redirected to the ChartSwap portal for processing.

All requests must include a valid HIPAA-compliant authorization signed by the patient or legally authorized representative and are subject to applicable District fees, authorization verification, and legal review prior to release.

## **PUBLIC RECORDS REQUESTS INVOLVING EMS RECORDS:**

Under Ohio Revised Code §149.43 and HIPAA, EMS Patient Care Reports containing PHI are exempt from release as public records. Requests for EMS reports submitted as public records requests will be denied to the extent they seek protected health information.

Only limited non-medical information may be released in response to a public records request, including:

- Date, time, and general location of an incident
- Type or nature of the call (medical, trauma, etc.)
- Fire department response information
- Non-identifying statistical data

All patient names, medical information, and other identifying details will be withheld or redacted in accordance with federal and state law.

## **FEE SCHEDULE:**

Pursuant to Ohio law and District policy, the following fees apply to EMS record requests:

- Copies of individual EMS Patient Care Reports: \$5.00 per report
- Paper copies of additional records: \$0.10 per page
- Electronic copies transmitted by secure email: No charge
- Copies requiring CD, flash drive, or other media: actual cost of media

- Postage and mailing supplies: actual cost

Payment methods shall be consistent with the Scioto Valley Fire District Public Records Policy. The district accepts personal checks, cashier's checks, and money orders payable to the Scioto Valley Fire District. Cash payments will only be accepted by appointment with the District Fiscal Officer. Advance payment may be required prior to release of records.

Payment may be required in advance of processing. Fees may be waived at the discretion of the Fire Chief or designee for governmental, continuity of care, or hardship purposes.

**METHOD OF RELEASE:**

Records may be provided in paper or electronic format as requested and as reasonably available. Records containing PHI will only be released through secure methods. Unsecured email transmission will only be used if specifically requested and authorized in writing by the requester.

**TURNAROUND TIME:**

Requests for EMS records will be processed as promptly as practical. Routine requests will generally be completed within five (5) to ten (10) business days depending on volume, required redactions, and verification of authorization.

**DENIAL OF REQUESTS:**

If a request for EMS records is denied in whole or in part, the district will provide a written explanation for the denial, including the legal basis for withholding the records and information on how the requester may appeal or submit a corrected request.

**DOCUMENTATION:**

All EMS record requests, releases, and denials shall be documented and maintained by the district in accordance with HIPAA accounting of disclosures requirements.

**RETENTION:**

EMS records shall be maintained in accordance with the Scioto Valley Fire District records retention schedule and Ohio Revised Code §149.43 and §4765.11.

**RESPONSIBILITY:**

The Fire Chief or designee (HIPAA Privacy Officer) shall be responsible for ensuring compliance with this policy, maintaining appropriate forms, and processing all requests for EMS records.

**RELATED POLICIES:**

This policy shall be administered in conjunction with the Scioto Valley Fire District Public Records Policy, HIPAA Privacy Policy, and Records Retention Schedule.

**EFFECTIVE DATE:**

This policy shall become effective upon approval by the Scioto Valley Fire District Board of Trustees.