

## **Release of Medical Records Policy**

Accommodations for individuals with disabilities in accessing these policies are available upon request by emailing [accessiblepolicy@wcupa.edu](mailto:accessiblepolicy@wcupa.edu)

### **Purpose and Scope**

The Joint Guidance on the Application of the Family Educational Rights and Privacy Act (FERPA), and guidance recommendations under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), to Student Health Records is a federal law that led to national standards that protect sensitive patient health information from being disclosed without the patient's consent or knowledge. In accordance with the law, this policy protects student patient privacy and accessibility to medical records at West Chester University.

### **Policy Statement**

Student Health Services medical records are confidential documents and will only be released with proper written authorization of the patient or when permitted by law.

### **Policy Framework**

Under FERPA, medical records (including counseling records) are generally considered to be education records. Under a narrow exception in FERPA, however, a medical record is considered a "treatment record" if it meets three criteria. A treatment record must be:

1. Directly related to a student who is eighteen years of age or older, or is attending an institution of postsecondary education;
2. Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their professional capacity, or assisting in a paraprofessional capacity; and

3. Made, maintained, or used only in connection with the provision of treatment to the student, and not available to anyone (including the student) other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

### **Procedures**

Students who wish to submit a medical record request can download the form on the Student Health Services website or received in-person Medical records requests must be signed by the patient or a legal representative and returned to the Student Health Services department in person or by mail. Confirmation by mail will be confirmed by an SHS staff member when received. The request must indicate a specific period of time and cannot be signed for ongoing release of information.

Parents or guardians who would like a copy of their student's medical records must ask the student to initiate the request for each episode of illness or care.

### **References**

[Family Educational and Privacy Rights Statute 20 U.S.C. § 1232g\(a\)\(4\)\(B\)\(iv\)](#)  
[Family Educational Rights and Privacy Act Regulations 34 CFR § 99.31\(a\)\(10\) and 99.36.](#)

[Dear Colleague Letter to School Officials at Institutions of Higher Education \(August 24, 2016\)](#)

Medical Record Release form:

<https://www.wcupa.edu/services/studentHealthServices/documents/MedicalRecordsRequest.pdf>

— UNIVERSITY POLICY —

**Reviewed by:** Dr. Tony Delgado, Associate Vice President for Student Affairs, Amanda Thomas, Student Affairs Policy Designee

**Policy Owner:** Dr. Landrus Burress, Senior Director of Student Health Services.



**Approved by:**

Dr. Zebulun R. Davenport

Vice President for Student Affairs

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