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**Procedural Standard 00-4**  
**September 9, 1999**

**TO:** All Reviewers, Disability Assistants, CE schedulers  
**FR:** Susan West Levine, Associate Director, Disability Evaluation Services  
**BY:** Betsy Gilgun, Becky Riley  
**RE:** **Release of Medical Information**

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**Purpose:** The purpose of this guideline is to insure the proper and timely release of medical records information requested by applicants, advocates, legal offices and other authorized customer representatives. This guideline should also insure proper documentation of additional correspondence and exchange of information regarding cases.

Additionally, this documentation will cover guidelines for documenting and responding to subpoenas. (page 3)

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**Definitions:** Legal Signature: a writing or other mark that is placed upon an instrument for the purpose of authenticating it or giving it legal effect.<sup>1</sup>

Medical Release Team: Correspondence Coordinator, Medical Records Clerk, and Quality Control Coordinator.

**Overview:** The request for release of medical information must be submitted in writing. The specific record they are looking for should be indicated on the request along with their name, address, social security number and the name, if different, to whom the information should be released.

Upon receipt of medical record release, the DES Correspondence Coordinator will document the following information in the Medical Releases Tracking System:

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<sup>1</sup> Black's Law Dictionary

*Date of request; Requestor's name; Client Name; Medical Release Received; Is the request a subpoena; Client Social Security; DES Case number; (see attached)*

Medical records may only be released to:

- Client with signed medical release
- SSI request with medical release and client signature
- Attorney *for the client* with medical release and client signature

This request must have a legal signature (machine typed text does not qualify).

**Procedure:** The request is forwarded to the Medical Release Team to ensure that the request is in compliance with the above criteria. The team identifies the case number and case status and then writes the case number and current case status on the top of the request.

#### **A. Closed Case**

A case status of 8 indicates the case has been reviewed and completed by the DES (Closed Status). These records are filed and can be located in the Medical Records Room.

- The Medical Records Team, which consists of, Medical Records Clerk, Correspondence Coordinator, and Quality Control Coordinator will request the closed records from Medical Records Department.
- The Medical Records Clerk will pull these cases from the Medical Records Department, paper clip the request to the top of each case and turn the records over to Medical Release Team.
- The Medical Release Team will review the case, copy the requested information and forward it to the address indicated on the request with a completed medical records release cover letter (a copy of this cover letter is attached to this Procedural Standard for review).
- The Medical Release Team will also file all copies of the signed written request and copy of cover letter in the applicant's case file.
- When the appropriate medical release request has been processed, the closed case will be returned to the Medical Records Room.

#### **B. Open Cases**

A case status of 1 through 7 indicated at the top of the request identifies the case as still under review by DES. The case location can be identified by the case status (see attached case status description listing at the end of this Procedural Standard).

- The Medical Release Team will submit the request to the appropriate review team to locate and forward the case to Medical Records Clerk.

- The Medical Release Team will review the case and copy the requested information and forward it to the address indicated on the request with a completed medical record release cover letter (a copy of this cover letter is attached to this Procedural Standard for review).
- The Medical Release Team will also file all copies of the signed written request and copy of cover letter in the applicant's case file
- The open case will be returned to the appropriate team for further processing

#### **C. Documentation of Medical Release**

The Medical Records Team retains all original copies of the signed Medical Releases and a copy of the medical release cover letters in the case file, stored in the Medical Records Room.

#### **D. Procedure for Subpoena and Court Orders:**

In accordance with Department of Transitional Assistance & Division of Medical Assistance guidelines, subpoenas and court orders received by the UMMS DES should be directed to the DES Operations Supervisor for follow up. These requests will then be faxed to the appropriate agency for further direction or release. The DMA contact for authorization is Sheila Sullivan @ (617) 210-5511. The DTA contact for authorization is Valorie Faretra at (617) 727-0166.