

# Your Right To Correct Inaccurate Information In Your Health Care File

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## **What can I do if my medical records are wrong?**

You have the right to correct or amend your medical records for accuracy and completeness. You may correct any medical records you have a right to examine and copy. See our publication [Your Right to Examine and Obtain Copies of Your Medical Records](#) for more information. To correct or amend an entry in your medical record, you must make the request for correction or amendment in writing. Once the request is made, the health care provider has ten days to decide whether to correct or amend the record.

If your health care provider agrees that your medical records are wrong, your amendment or correction must be included in your health care record, and the record must clearly show what has been amended and corrected.

## **What if the health care provider does not agree that the health care record should be amended or corrected?**

If the health care provider does not believe it is appropriate to correct or amend your health care record, the health care provider must, within ten days of your request to correct or amend, inform you of your right to add a "statement of disagreement" to your health care record.

A "statement of disagreement" to a

challenged health care record entry should be a brief statement of the correction or amendment you request and the reasons you believe your health care record should be corrected or amended. After you have filed your statement of disagreement, there must be a note in your health record at the challenged entry that indicates you think the entry is wrong and shows where in your health care record your statement correcting it is.

## **What if my rights to correct and amend my health care file have been denied?**

Contact an attorney. The law which gives you the right to correct and amend your medical records allows you to get a court order requiring your health care provider to allow you to correct or amend your health care records. In addition, you may collect actual damages for any prior refusal to allow you to correct and amend medical records. The law also provides that you may be awarded attorney's fees and expenses to cover the costs of the lawsuit if you win. If you have a good case a lawyer may represent you without a fee based on the expectation of receiving lawyer's fees from the other side. Many lawyers will consult with you for free to evaluate your case. To find one, look in the Yellow Pages, or call your local bar association's lawyer referral service, if available.

The law that gives you the right to correct and amend your medical records is in the Revised Code of Washington (RCW) at chapter 70.02.

Most public libraries and county courthouse libraries have copies of the Revised Code of Washington that you may read and copy.

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**This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice. This information is current as of the date of its printing, February 2003.**

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