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*Leading Health Care  
In The 21st Century*



*Health Information  
Management Services*

**QUICK REFERENCE GUIDE**



# RELEASE OF INFORMATION

## SERVICES PROVIDED

- Copy and release medical records to those with a legal right to the information.
- Request copies of medical records from outside agencies or other VA medical centers.
- Request medical records be transferred from or to other VA medical centers.
- Process medical record requests for the Veterans Administration Regional Office.

## CHARGES

### 38 C.F.R. §§1.526(1)(2), 1.577(g)

- One complete set of records will be provided to the patient or his/her representative at no charge.
- For any additional copies, a charge of \$0.15 per page will be charged after the first 100 pages.
- If the request is through a FOIA request (Freedom of Information Act) a charge of \$0.15 per page will be charged after the first 100 pages copied. An additional fee will be charged for retrieving the information.



# CONSENTS

1. When a consent is required to release medical information, the following information is required in writing:
  - ◆ Name and address of the individual that the information is to be sent to.
  - ◆ Type of information to be released.
  - ◆ Dates of treatment involved.
  - ◆ The reason for the request.
  - ◆ Date and signature of patient or other person authorized to consent to release.
2. There may be special circumstances that might require a special consent form. In this case, any request for medical records that include drug, alcohol, HIV, or sickle cell anemia will require consent from the patient.
3. There may be some occasions where information (including names and addresses) from the medical record may be released to certain federal or state agencies. Those reasons might include:
  - ◆ Conducting research
  - ◆ Conducting audits
  - ◆ Conducting evaluations
4. Release of photographs and medical information to the news media will only be done by consent of the patient or by a court-appointed legal guardian.



## **RETENTION OF PATIENT RECORDS**

The VA Records Center & Vault (VA RC&V) in Neosho, MO is where your medical records are retired. Your records are transferred to the retirement center after they have been inactive for three years. The retirement center keeps your records for 75 years unless they are recalled by the Medical Center.

There are four statues, which govern the release of information for patient medical records.

## **PRIVACY ACT (PA) OF 1974**

**(5 U.S.C. § 552a)**

- Patients may request in writing to have access to, correct, amend, or obtain a copy of their own medical record.
- Patients are not required to state a reason for wanting to see a copy of their records.
- Patients may request an amendment to their record. The request must be in writing and describe exactly what they feel is inaccurate.
- Under the PA, records of a deceased patient (excluding drug, alcohol, sickle cell anemia, or HIV) do not require a written consent for release of information. Record's including drug, alcohol, sickle cell anemia, or HIV can only be released by a court order.

## **VA CLAIMS CONFIDENTIALITY STATUE**

**(38 U.S.C. 3301; 38 CFR 1.500-1.527)**

This statue provides for the confidentiality of all patient names and addresses. Release of this information is only permissible under 38 CFR 1.500-1.527



# 7332 INFORMATION

(38 U.S.C. 4132; 42 CFR 2.1-2.67)

This statute provides for the confidentiality of patient medical records that contain drug abuse, alcohol, sickle cell anemia, or HIV information. Information is only released under the consent of the patient.

## AMENDMENTS

On occasion there may be something entered into your medical record that you find to be disagreeable. If this occurs, there is a process that can help you change or amend your record.

- Your request must be in writing.
- You must adequately describe the specific information that you believe to be inaccurate, incomplete, irrelevant, or untimely.
- Your doctor will be contacted to review the change. If your doctor agrees to the change, that information will be changed and a copy will be mailed to you.
- If the doctor denies the change, you have a right to appeal your request. You will be required to explain in a letter why you are appealing the decision. It is beneficial if you include a copy of the denial letter sent to you.
- You should send your appeal letter to:  
General Counsel (024)  
Department of Veterans Affairs  
810 Vermont Avenue  
Washington, DC 20420



## FREQUENTLY ASKED QUESTIONS

### 1. How do I get a copy of my VA medical records?

- Contact the Release of Information Clerk located within the Health Information Management Department.
- Sign a consent form allowing us to copy and release your medical records.
- Provide the complete and correct mailing address where you want your medical records mailed.
- Provide the correct spelling of the person you want the records mailed to.

### OR

- Mail or fax to us a letter with your name and social security number stating exactly what information you would like released. Include the name and address of the person you want the records released to.

### 2. What should I do if I've lost my DD214?

- Write to:  
National Personnel Records Center  
9700 Page Blvd, Room 230  
St. Louis, MO 63132
- Please include your name at the time of military service, your social security number, your service number, the approximate dates of your service and your branch of service.
- You will need to allow a minimum of six weeks for processing any request for military records.

### OR

- Contact your nearest Veterans Service Officer or DAV Office.



### **3. How do I get a copy of my military records?**

- A copy of your military information may be requested in writing to:  
National Personnel Records Center  
9700 Page Blvd, Room 230  
St. Louis, MO 63132
- Please include your name at the time of military service, social security number, service number, the branch and approximate dates of military service.

### **4. How do I get a non-VA questionnaire completed by my VA doctor?**

- Bring the completed form to Release of Information and complete the appropriate consent form.
- The Release of Information Clerk will forward your request to the appropriate medical professional for their completion.
- The completed form will be mailed back to you.

### **5. How do I obtain copies of my retired records?**

- Requesting your retired records is the same process as requesting a copy of your medical records.
- Once the records have been received, we will complete the request.
- The request will be sent to the retirement center. It can take anywhere from two to six weeks to obtain records.



# FREEDOM OF INFORMATION ACT (FOIA)

(5 U.S.C. § 552) Also See FAQs

- Any person, partnerships, corporations, associations and foreign, state or local governments may make a FOIA request.
- Before releasing records, records will be reviewed to determine if all or only parts of it can be released.
- A request for access to official records under FOIA must be in writing.
- The VA is not required to create a record. The VA also has no legal obligation to write, revise, reassemble, catalogue, or to obtain or produce new documents for a requestor.

## FREQUENTLY ASKED QUESTIONS ABOUT FREEDOM OF INFORMATION ACT (FOIA)

### 1. How can I make a FOIA request to VA — do I need to fill out any forms?

The VA requires that a FOIA request be in writing. The request must describe what records are being requested. Your request must state your willingness to pay applicable fees. Please provide a daytime telephone number in case we need to contact you. Write “FOIA” on the envelope. There are no special forms required for use in submitting a FOIA request.

### 2. Can I fax or email my request?

VA does not process FOIA requests submitted by email. Our regulations require the request to be in writing over the signature of the requester. Faxed requests are acceptable as long as they contain a copy of the requester’s signature.



### **3. What types of records can be obtained through FOIA requests?**

Any record may be obtained. Any records requested under the PA must have written consent from the individual. If the individual is deceased, you must provide a copy of the death certificate. Please note that medical and beneficiary records are Privacy Act records and are exempt from release under the (b)(3) and (b)(6) FOIA exemption.

### **4. If I don't agree, what are my rights?**

If your request is denied or you do not agree with any decision regarding the release of records, you may appeal to DVA's Office of General Counsel. You should include in your letter why you disagree. Your appeal should be submitted to:

Department of Veterans Affairs  
Office of the General Counsel (024)  
810 Vermont Avenue, NW  
Washington, DC 20420

### **5. How long does a requester have to wait for a reply from the VA?**

It is the policy of Network 2 to acknowledge your request within 20 working days of our receipt. We are required to notify you within 20 working days as to whether the information you requested is available. The VA works on a first-in, first-out basis, so there may be other requests ahead of yours. Please note that the 20 working days starts when it is first received by the FOIA Officer.



# RELEASE OF INFORMATION OFFICES

## **Albany**

### **Stratton VA Medical Center**

113 Holland Avenue  
Albany, New York 12208  
Room: 108-3 Core  
Phone: (518) 626-5600

## **Bath**

### **Bath VA Medical Center**

76 Veterans Avenue  
Bath, New York 14810  
Building 76  
Room: 363 or 362 or 361  
Phone: (607) 664-4823

## **Buffalo**

### **VA Western New York Healthcare System**

3495 Bailey Avenue  
Buffalo, New York 14215  
Room: EB9 or EB10  
Phone: (716) 862-6304

## **Canandaigua**

### **Canandaigua VA Medical Center**

400 Fort Hill Avenue  
Canandaigua, New York 14424  
Building 4  
Room: 4  
Phone: (585) 393-7615

## **Syracuse**

### **Syracuse VA Medical Center**

800 Irving Avenue  
Syracuse, New York 13210  
Room: CG02  
Phone: (315) 425-4400 ext 52005



**VA Health Care On The Web**

[www.va.gov/visns/visn02](http://www.va.gov/visns/visn02)

**For Reliable Health Information On The Web**

[www.myhealthvet.va.gov](http://www.myhealthvet.va.gov)

**Upstate New York Veterans ~**

Wherever you are, When you need help ...

**VA TELCARE**

**1-888-838-7890**

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# Reaching Us Is Easy

## VA Medical Centers:

**Albany**  
113 Holland Avenue  
Albany, NY 12208  
(518) 626-5000

**Batavia**  
222 Richmond Avenue  
Batavia, NY 14020  
(585) 343-7500

**Bath**  
76 Veterans Avenue  
Bath, NY 14810  
(607) 664-4000

**Buffalo**  
3495 Bailey Avenue  
Buffalo, NY 14215  
(716) 834-9200

**Canandaigua**  
400 Fort Hill Avenue  
Canandaigua, NY 14424  
(585) 394-2000

**Syracuse**  
800 Irving Avenue  
Syracuse, NY 13210  
(315) 425-4400

## Community-Based Outpatient Clinics:

**Auburn**  
Auburn Memorial Hospital  
17 Lansing St.  
Auburn, NY 13021  
(315) 255-7002

**Bainbridge**  
109 North Main Street  
Bainbridge, NY 13733  
(607) 967-8590

**Binghamton**  
425 Robinson Street  
Binghamton, NY 13001  
(607) 772-9100

**Carthage**  
3 Bridge Street  
Carthage, NY 13619  
(315) 493-4180

**Catskill**  
Greene Medical Bldg.  
159 Jefferson Heights  
Catskill, NY 12414  
(518) 943-7515

**Clifton Park**  
1673 Route 9  
Clifton Park, NY 12065  
(518) 383-8506

**Cortland**  
1129 Commons Avenue  
Cortland, NY 13045  
(607) 662-1517

**Dunkirk**  
The Resource Center  
325 Central Avenue  
Dunkirk, NY 14048  
(716) 366-2122

**Elizabethtown**  
P.O. Box 277, Park St.  
Elizabethtown, NY 12932  
(518) 873-3295

**Elmira**  
Health Services Bldg.  
200 Madison Ave., Suite 2E  
Elmira, NY 14901  
(877) 845-3247

**Fonda**  
Camp Mohawk Plaza  
Rt. 30A  
Fonda, NY 12068  
(518) 853-1247

**Glens Falls**  
84 Broad Street  
Glens Falls, NY 12801  
(518) 798-6066

**Ithaca**  
10 Arrowwood Drive  
Ithaca, NY 14850  
(607) 274-4680

**Jamestown**  
The Resource Center  
890 East Second Street  
Jamestown, NY 14701  
(716) 661-1447

**Kingston**  
63 Hurley Avenue  
Kingston, NY 12401  
(845) 331-8322

**Lackawanna**  
Our Lady of Victory  
Family Care Center  
227 Ridge Road  
Lackawanna, NY 14218  
(716) 822-5944

**Lockport**  
Ambulatory Care Center  
5875 S. Transit Road  
Lockport, NY 14094  
(716) 433-2025

**Malone**  
183 Park Street, Suite 3  
Malone, NY 12953  
(518) 481-2545

**Massena**  
1 Hospital Drive  
Massena, NY 13662  
(315) 769-4253

**Niagara Falls**  
620 10th Street, Suite 709  
Niagara Falls, NY 14301  
(716) 285-6663

**Olean**  
Olean General Hospital  
623 Main St.  
Olean, NY 14760  
(716) 375-7555

**Oswego**  
Seneca Hills Health  
Services Center  
County Route 45A  
Oswego, NY 13126  
(315) 343-0925

**Plattsburgh**  
43 Durkee Street  
Plattsburgh, NY 12901  
(518) 561-8310

**Rochester**  
465 Westfall Road  
Rochester, NY 14620  
(585) 463-2600

**Rome**  
125 Brookley Road,  
Bldg. 510  
Rome, NY 13441  
(315) 334-7100

**Schenectady**  
1322 Gerling St.  
Sheridan Plaza  
Schenectady, NY 12308  
(518) 346-3334

**Troy**  
295 River Street  
Troy, NY 12180  
(518) 274-7707

**Warsaw**  
Wyoming County  
Community Hospital  
400 N. Main Street  
Warsaw, NY 14569  
(585) 344-3355

**Wellsville**  
Jones Memorial Hospital  
Health Care Center  
15 Loder Street  
Wellsville, NY 14895  
(585) 596-4111

