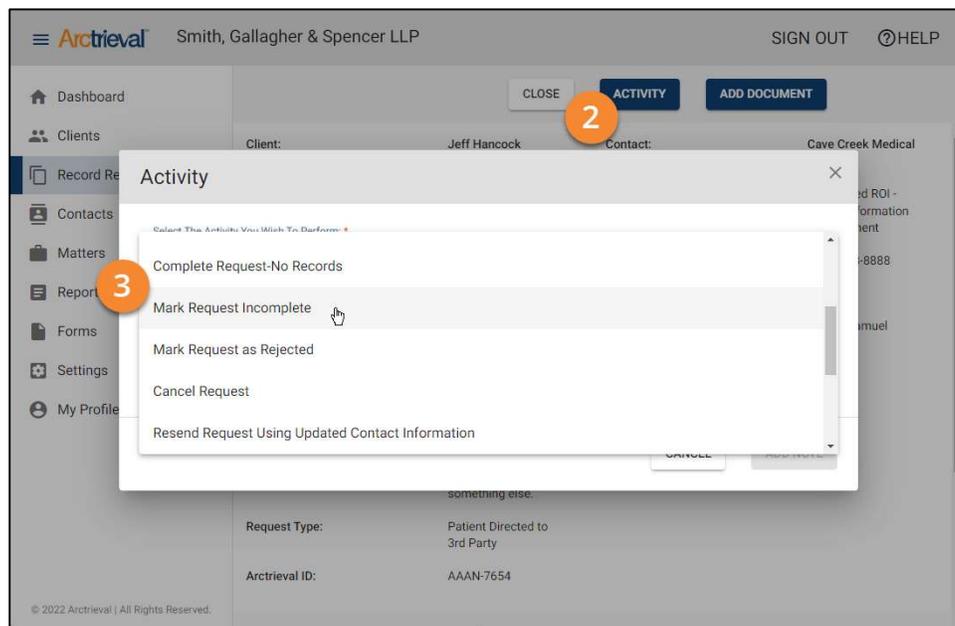


Disputing an Invoice for an Individual Right of Access Request

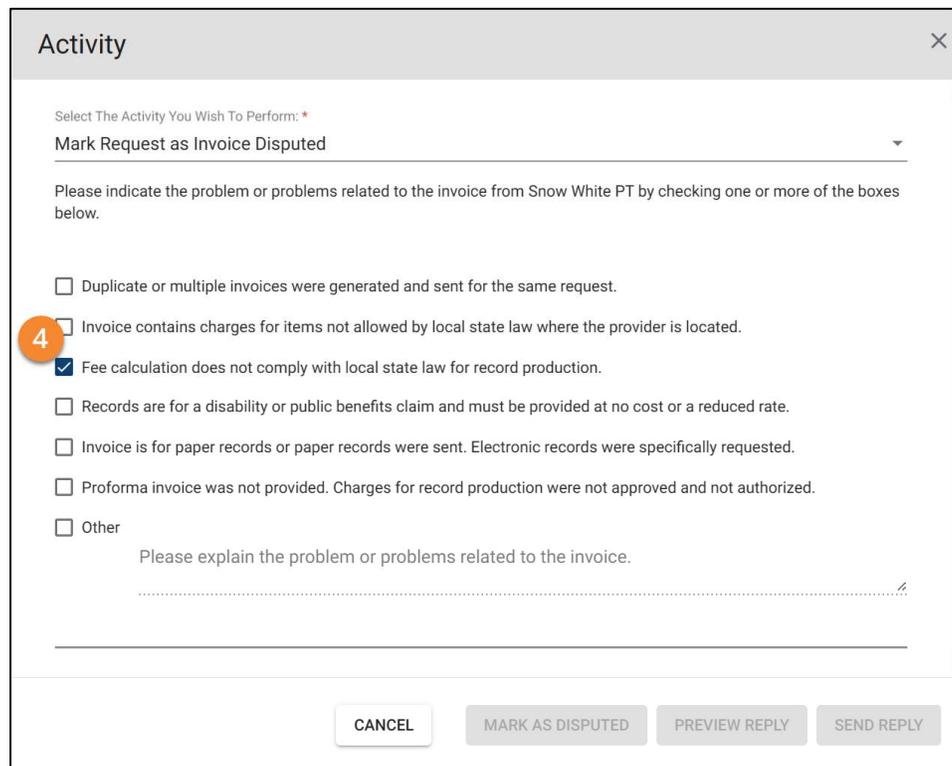
1. Quick Steps

1. Select the Request that has the invoice you wish to dispute.
2. Click the Activity button.
3. Select "Mark Request as Invoice Disputed" from the dropdown menu.



4. Select the reason or reasons from the list why you are disputing the invoice.

You may select more than one reason or describe another reason that is not listed by checking Other and providing a description of the issue.



Disputing an Invoice for an Individual Right of Access Request

5. Scroll down and enter the date, amount, and invoice or reference number for the invoice you want to dispute.
6. Click the Choose a File button to upload a PDF of the disputed invoice. If you are disputing duplicate invoices, all the documents must be combined into one PDF file.
7. Select one or more delivery methods.
8. Click the Preview Reply button to review the document before sending it.
9. Click the Send Reply button to send the disputed invoice letter to the Contact.

Activity [X]

5 Invoice Date: * 11/1/2023 Invoice Amount: * \$250.00 Invoice Number: 101A

Upload Invoice and any Supporting Documents: *

6 Ciox Sample In... [X]

Select PDF file for Upload to Attach to Disputed Invoice Correspondence

Note: To avoid processing issues and for all features to work correctly, all pages in the uploaded document must be in portrait orientation.

7 Send reply to Contact using:

email (Automated) Fax (Automated) US Mail (Automated)

US Mail (Manual) Other-PDF File for Upload (Manual)

Mark request as invoice disputed and do not send reply.

8 9

CANCEL MARK AS DISPUTED PREVIEW REPLY SEND REPLY

Disputing an Invoice for an Individual Right of Access Request



2. Background

When a request is processed by a Contact or release of information vendors like Ciox, MRO, Sharecare, or Verisma, various issues may arise related to the invoice for the charges to produce a copy of the records. The errors and issues may include one or more of the following items.

- The invoice amount is wrong because the Contact did not follow the allowable rates per local state law to calculate the production fees.
- The invoice contains one or more charges not allowed by the local state law. For example, Ciox often charges an electronic storage fee that is not allowed by most state laws. Other unallowed fees may include delivery charges when records are sent via email or downloaded from a secure website.
- The Contact or release of information company created duplicate invoices for the same request because the person reviewing the requests treated each follow-up correspondence as a new request.
- The request or the individual is entitled to a free copy of records under local state laws or at a significantly reduced rate. For example, many states require one free copy of records for Social Security Claims and Public Benefit Program Applications. Kentucky law requires Contacts to provide one free copy of records regardless of the purpose.
- The Contact charged an excessive per-page rate for records delivered electronically when there is a cap for electronic records. For example, Louisiana law limits an electronic copy to a \$160 maximum charge. Nevada and Ohio passed new laws related to medical record fees that became effective on October 1, 2023, and October 3, 2023. The maximum fee for electronic records in Nevada is \$40, and the maximum in Ohio is \$50.

Some errors are honest mistakes by the person processing the request because they are not paying attention. Other errors are willful violation of the state law to generate additional revenue for providing medical records. In any case, the invoice is wrong and must be corrected.

The Mark Request as Invoice Disputed offers a remediation method for invoice and billing issues. The disputed invoice letter is sent to the Contact and not the release of information company—if the Contact uses one. The purpose is to notify the Contact about the errors that are being made because they could be held accountable for the actions of their release of information vendors or medical records department.

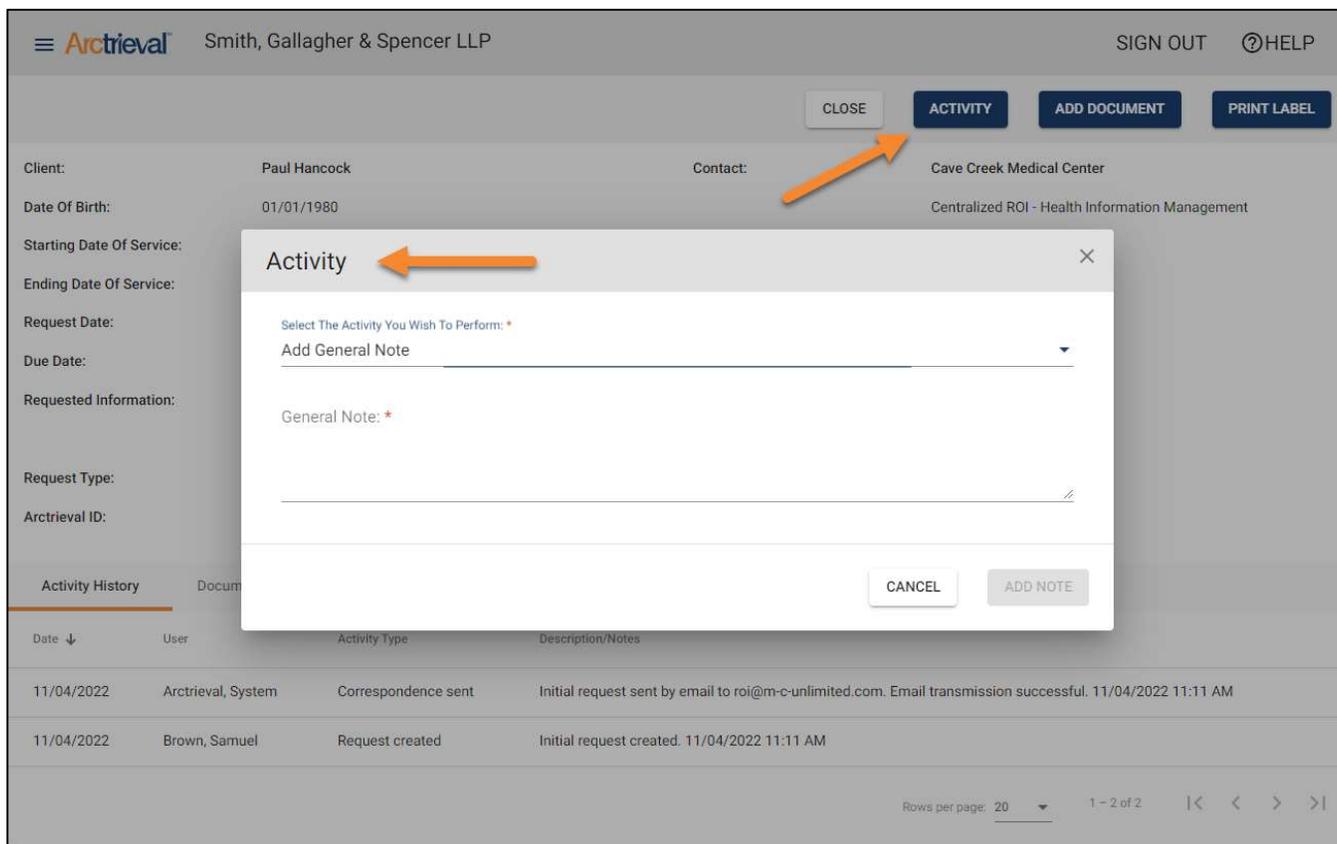
Disputing an Invoice for an Individual Right of Access Request

3. Mark Request as Invoice Disputed—In Detail

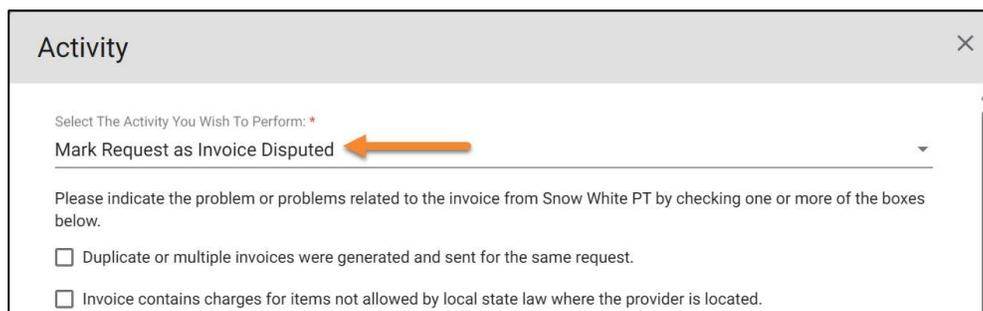
3.1. Activity Selection

The steps below will walk you through updating the request status and sending the Contact correspondence regarding their billing or invoice error.

1. Click the Activity Button for the request with the invoice you wish to dispute to display the dialog box in the following image.



2. Select the Mark Request as Invoice Disputed from the options under the “Select The Activity You Wish To Perform” drop-down dialog menu, as shown in the following image:



Disputing an Invoice for an Individual Right of Access Request

3.2. Dialog Box

All the options and input fields for the Mark Request as Invoice Disputed activity are shown in the following image and discussed below.

Activity ✕

Select The Activity You Wish To Perform: *

Mark Request as Invoice Disputed

Please indicate the problem or problems related to the invoice from Carefree Hospital by checking one or more of the boxes below.

- Duplicate or multiple invoices were generated and sent for the same request.
- Invoice contains charges for items not allowed by local state law where the provider is located.
- Fee calculation does not comply with local state law for record production.
- Records are for a disability or public benefits claim and must be provided at no cost or a reduced rate.
- Invoice is for paper records or paper records were sent. Electronic records were specifically requested.
- Proforma invoice was not provided. Charges for record production were not approved and not authorized.
- Other

Please explain the problem or problems related to the invoice.

1st Invoice Date: *	10/2/2023	1st Invoice Amount: *	\$150.00	1st Invoice Number:	101A
2nd Invoice Date: *	11/2/2023	2nd Invoice Amount: *	\$150.00	2nd Invoice Number:	202B
3rd Invoice Date:		3rd Invoice Amount:	\$0.00	3rd Invoice Number:	
4th Invoice Date:		4th Invoice Amount:	\$0.00	4th Invoice Number:	
5th Invoice Date:		5th Invoice Amount:	\$0.00	5th Invoice Number:	

Upload Invoices, and any Supporting Documents: *

Ciox Combine... ✕

Select PDF file for Upload to Attach to Disputed Invoice Correspondence

Note: To avoid processing issues and for all features to work correctly, all pages in the uploaded document must be in portrait orientation.

Send reply to Contact using:

- email (Automated)
- Fax (Automated)
- US Mail (Automated)
- US Mail (Manual)
- Other-PDF File for Upload (Manual)

Mark request as invoice disputed and do not send reply.

CANCEL MARK AS DISPUTED PREVIEW REPLY SEND REPLY

Disputing an Invoice for an Individual Right of Access Request

3.3. Issue List

The first step is to select why you are disputing the invoice by choosing one or more reasons.

Please indicate the problem or problems related to the invoice from Carefree Hospital by checking one or more of the boxes below.

- Duplicate or multiple invoices were generated and sent for the same request.
- Invoice contains charges for items not allowed by local state law where the provider is located.
- Fee calculation does not comply with local state law for record production.
- Records are for a disability or public benefits claim and must be provided at no cost or a reduced rate.
- Invoice is for paper records or paper records were sent. Electronic records were specifically requested.
- Proforma invoice was not provided. Charges for record production were not approved and not authorized.
- Other Please explain the problem or problems related to the invoice. *
The invoice had a postage charged but was delivered as an electronic download.

The list covers most reasons why an invoice is wrong. If the exact issue does not match the list, select the closest match option based on the explanations below or enter your reason in the Other section.

1. **Duplicate or multiple invoices were generated and sent for the same request.** Additional invoices were generated because the person reviewing the incoming correspondence did not correctly read the documents and link the follow-up correspondence with the original request. Each follow-up correspondence letter indicates the request is not new and contains a unique reference number. Notifying the Contact about the issue should get it corrected. If the staff is not reading the incoming correspondence, it may lead to a big mistake and potential HIPAA Privacy Rule or local law violation.
2. **Invoice contains charges for items not allowed by local state law where the provider is located.** Either intentionally or unintentionally, additional charges can find their way onto an invoice. It could be an honest mistake because the person creating the invoice incorrectly applied charges allowed in another jurisdiction to the request. Alternatively, it could be a profit-seeking effort on the part of the release of information company because the charge is not allowed.
3. **Fee calculation does not comply with local state law for record production.** The fee calculation for the invoice does not comply with local state law for record production where the provider is located. The charges must be recalculated using the local state law where the provider is located. It does not matter where the release of information company is located. The provider is responsible for responding to an individual right of access request and ensuring the charges comply with their local laws.

Disputing an Invoice for an Individual Right of Access Request



4. **Records are for a disability or public benefits claim and must be provided at no cost or a reduced rate.** Many states require Contacts to offer one free copy of protected health information to support a disability, public benefits claim, appeal, or have a significantly reduced fee schedule. Surprisingly, providers and release of information companies do not know the local laws and will mistakenly create an invoice at the maximum allowable rate. One way to avoid the issue is to include proof that the records are for a disability or public benefits claim or appeal by attaching an SSA-1696 form to the request. Additionally, Arctrieval has templates for many states to attach to a disability request that cite specific laws relating to the request and what is allowed for a copy fee.
5. **Invoice is for paper records or paper records were sent. Electronic records were specifically requested.** The individual right of access request states that records must be provided electronically. Nevertheless, the staff processing the request may send a paper copy of the records with the associated fee for paper records. It could be a simple mistake because someone checked the wrong box, or it could be an attempt to charge more for the records. The records must be provided electronically. You do not want to spend time scanning the documents into a PDF file. If the local law has a fee cap for electronic records, you want it enforced.
6. **Proforma invoice was not provided. Charges for record production were not approved and not authorized.** The individual right of access request clearly states, "If you charge a fee for producing a copy of my PHI, please email or fax a pro-forma invoice prior to any record production. Neither I nor my designated third party shall be responsible for any unapproved fees." Release of information companies will often send an invoice with the records and expect to receive payment. Their process does not adhere to a basic business transaction. There must be an offer, acceptance, and consideration. You asked the Contact or their ROI vendor to provide an offer in the form of a proforma invoice. You then have to accept the offer. Since you did not approve or authorize the fee, you can often negotiate a significantly reduced fee or cancel the request.
7. **Other.** Any reason not described above or additional clarification of a listed issue.

Regardless of the billing issue, you do not have to accept what the Contact or release of information vendor tells you. Do your research about your state laws related to medical records, advocate for a lower cost, and speak with the staff at the provider about the local law violation related to the production of protected health information.

Disputing an Invoice for an Individual Right of Access Request

3.4. Invoice Date

Enter the date or dates on the incorrect or multiple invoices for the request in the space provided, as shown in the image. The Duplicate Invoice option will display fields to enter information for up to five invoices. The information for the 1st and 2nd invoices is required. If the Duplicate Invoice option is not checked, fields for only one invoice are displayed.

1st Invoice Date: *	<input type="text" value="10/2/2023"/>	1st Invoice Amount: *	<input type="text" value="\$150.00"/>	1st Invoice Number:	<input type="text" value="101A"/>
2nd Invoice Date: *	<input type="text" value="11/2/2023"/>	2nd Invoice Amount: *	<input type="text" value="\$150.00"/>	2nd Invoice Number:	<input type="text" value="202B"/>
3rd Invoice Date:	<input type="text"/>	3rd Invoice Amount:	<input type="text" value="\$0.00"/>	3rd Invoice Number:	<input type="text"/>
4th Invoice Date:	<input type="text"/>	4th Invoice Amount:	<input type="text" value="\$0.00"/>	4th Invoice Number:	<input type="text"/>
5th Invoice Date:	<input type="text"/>	5th Invoice Amount:	<input type="text" value="\$0.00"/>	5th Invoice Number:	<input type="text"/>

In the example, two invoices were received for the same request. Invoice 101A for \$150 dated 10/2/2023 and invoice 202B for \$150.00 dated 11/2/2023.

3.5. Upload Invoices and any Supporting Documentation

You must upload a PDF file of the disputed invoice or invoices you received from the Contact. Multiple invoices must be combined into one file.

After selecting a file, the first part of the file name will appear as the button label, as shown in the following image.

Upload Invoices, and any Supporting Documents: *

Select PDF file for Upload to Attach to Disputed Invoice Correspondence

Note: To avoid processing issues and for all features to work correctly, all pages in the uploaded document must be in portrait orientation.

The invoices are included in the Disputed Invoice Correspondence Letter created by Arctrieval.

3.6. Send Reply

You have two choices for finalizing the activity and whether or not to send the Disputed Invoice Correspondence Letter to the Contact. The first choice is to have the Arctrieval system send the Disputed Invoice Correspondence Letter to the Contact through one or more of the selected delivery methods. The delivery options are the same as when you submitted the initial request.

Send reply to Contact using:

email (Automated) Fax (Automated) US Mail (Automated)

US Mail (Manual) Other-PDF File for Upload (Manual)

Mark request as invoice disputed and do not send reply.

Disputing an Invoice for an Individual Right of Access Request

Selecting a delivery option will enable the Preview Reply and Send Reply buttons. Click on the Preview Reply to preview the Disputed Invoice Correspondence Letter, or click Send Reply to finalize the document and send it to the Contact.



As a best practice, you should review the Disputed Invoice Correspondence Letter the first few times you use the activity to check the documents for any issues.

3.7. Do Not Send Reply

The second choice is to mark the request as invoice disputed in your Arctrieval account, create the Disputed Invoice Correspondence Letter, but wait to send it to the Contact. There also may be extenuating circumstances around the invoice that must be clarified before sending it.

Send reply to Contact using:

email (Automated) Fax (Automated) US Mail (Automated)

US Mail (Manual) Other-PDF File for Upload (Manual)

Mark request as invoice disputed and do not send reply.

Disputing an Invoice for an Individual Right of Access Request



4. Finalizing the Disputed Invoice Activity

After you click the Send Reply or Mark as Disputed button, the Arctrieval system performs the following actions.

1. **Send Reply.**
 - a. Disputed Invoice Correspondence Letter PDF file is generated and stored in the Documents & Files tab for the request.
 - b. Information about the disputed invoice is entered as a note in the Activity History tab for the request.
 - c. Request status is updated to "Invoice Disputed."
 - d. Correspondence delivery information is entered as a note in the Activity History tab for the request.
2. **Mark Rejected.**
 - a. Disputed Invoice Correspondence Letter PDF file is generated and stored in the Documents & Files tab for the request.
 - b. Information about the disputed invoice is entered as a note in the Activity History tab for the request.
 - c. Request status is updated to "Invoice Disputed."