

# Accessing Medical Records

**A Guide for Insurers**



## Introduction

An application for life/medical insurance and the settlement of a claim by insurers often involves a request for the medical records of a client to be produced to enable checks on their medical history or cause of injury/death.

The purpose of this guide is to assist insurers in:

- An understanding of the role of Primary Care Support England in medical records storage and movement, and
- How to make a request for a medical record (including the information required in support of an application, and the timescales involved in producing the records).

## The Role of Primary Care Support England (PCSE)

On 1 September 2015, PCSE took on responsibility for the movement of patient medical records between GPs and to and from third party storage facilities.

Archived medical records have previously been held at a variety of private storage locations across the country. With the exception of 17 third party storage providers, the archived records have been transferred to a PCSE storage site. This has provided PCSE with quick and easy access to stored records. For the 17 third party storage sites which remain open, PCSE is dependent on third party storage providers to release any medical records requested in a timely manner.

PCSE will supply copies of the records we hold in store. This may not be the complete medical record for a variety of reasons. For example:

- The previous GP may not have sent the complete file
- Digital files are kept by the practice who created them and will therefore not be included in the record

- Hospital records (unless comprising part of the GP's paper file), transparencies (X-rays), and community services records often remain with those organisations.

PCSE will provide the medical records which have been sent from the last known GP and cannot assist in the location of missing information from incomplete/partial files.

### **Making a request for a medical record where the patient is alive and registered with a GP**

A request for medical records of living persons is governed by The Data Protection Act 2018. This gives an individual the right to access and request copies of their medical records. This right is commonly known as a subject access request (SAR).

- A request for health records should be made to the person or organisation holding those records. In most cases that will be the GP, optician or dentist where the client/patient is registered.
- For hospital health records, the individual should contact the records manager or patient services manager at the relevant hospital trust. A list of hospital trusts can be found on the NHS Choices website from the following web-link:  
<http://pcse.england.nhs.uk/recordsrequests/>

### **Who can apply?**

1. The patient about whom the record has been compiled.
2. Someone acting on behalf of the patient, for example:
  - An insurer acting with written authorisation of the patient.
  - A parent on behalf of a child aged less than 16 years, unless the child is able to understand the nature of the request and applies in their own right.
  - By court order.

## Information required in support of the application

Insurers requesting copies of medical records should provide:

- (a) evidence of the insured's identity – this must include one form of personal photographic ID and one form of proof of address;
- (b) written authorisation from the insured to act on their behalf and receive their medical record;

To help save time in the processing of the application it should be indicated whether the applicant is requesting copies of a complete record or a partial record for a particular time period or particular treatment.

## Subject access request process for a medical record where the individual is not registered with a GP or is deceased

When the individual is not currently registered with a GP (for example, they have moved abroad or have moved area and not yet registered with a new practice) or is deceased, the record will be held in storage. To request the record the insurer will need to complete an application form which can be downloaded from:

<http://pcse.england.nhs.uk/recordsrequests/>.

Completed application forms and copies of supporting documentation should be sent to PCSE via email to **pcse.accessrequests@nhs.net**. The applicant is also able to submit a completed application to the following postal address:

Access to Medical Records Team  
Primary Care Support England  
3 Caxton Road  
Fulwood  
Preston  
PR2 9ZZ

**Please do not direct request for records of deceased persons to the last known GP. When this happens, GPs are instructed to return the request to the applicant which can cause significant delay.**

### **Who can apply?**

Under the Access to Health Records Act 1990, PCSE will require evidence that the applicant is eligible to apply for access to the records of a deceased person. Insurers are required to state the reason a deceased person's records are required in the application form.

Where the request relates to the records of a deceased person, only authorised individuals/organisations can apply to obtain copies of them including:

- A deceased patient's personal representative – i.e. the executor/administrator of their will/intestacy.
- Someone with a legal claim arising from the death of the patient, such as someone contesting the validity of a will on grounds of testamentary capacity or someone making a claim against the estate.
- The patient's previous GP.

### **Information required in support of the application**

The applicant will need to provide:

- Evidence to prove the eligibility of the applicant to apply for copies of the records e.g. confirmation that they are the deceased's personal representative with copies of appropriate documentary evidence OR confirmation that the applicant has a claim against the deceased's estate;

- Evidence of the applicant's identity – this must include one form of personal photographic ID and one form of proof of address;

When making the application, the applicant should provide details of the time periods and parts of the health record required. This will help save time in the processing of the application.

If the applicant would prefer to view the record rather than receiving a copy of it, this should be stated in the application and we can schedule an appointment at an appropriate time. Medical record viewings carry no charge, however PCSE is only able to provide this service in our office in Preston, Lancashire.

Once the application form – together with the appropriate supporting evidence of the applicant identity and authority to make the request is received, PCSE will retrieve the health records from storage and process the application.

### **Timescales for producing records**

PCSE will endeavour to deal with applications and supply records within one calendar month of receiving a full and complete application form and supporting documents, in accordance with The Data Protection Act 2018. If the request for a medical record is under the Access to Health Records Act 1990, PCSE will process the access application within 40 days. In certain circumstances, this may not be possible (for example, where the record cannot be traced, or is held by a third party storage provider outside of the control of PCSE.) PCSE will update the applicant on likely timescales.

**If the medical record is required urgently this should be stated clearly in a covering letter, confirming the reasons why the matter is urgent. PCSE will endeavour to escalate the request and to supply the records as a matter of urgency.**

Please email any queries relating to this process to [pcse.accessrequests@nhs.net](mailto:pcse.accessrequests@nhs.net) or call PCSE on 0333 014 2884.