



Interoffice Communication

To See Distribution List

From Charles L. Whetstone, M.D.

Date July 10, 1980

Subject OSHA STANDARD ACCESS TO MEDICAL RECORDS

As you are aware, OSHA recently published a standard regarding access to medical records which will become effective August 21, 1980. Many of the companies and trade organizations are currently reviewing the impact of this standard and wrestling with the issues to decide if a suit should be instituted requesting a stay. At this time Medical Division has no firm information as to whether or not a stay might take place.

On the assumption this standard will be effective, the following guidelines should be followed if employees request from their supervisor a copy of their medical records:

1. Have the employee sign a release in the presence of a witness—that is, some company official or officials designated to authenticate the signature. Notarization is not necessary.
2. Send the original signed medical release form to Medical Division. Should you wish to retain a copy in your own personnel files, you may do so, but the original must be part of the medical file.
3. Be certain the correct mailing address is on the release so that the records arrive either at a work address or current home address.
4. The individual witnessing the signature should ask specifically what records the employee desires—either the last year's record, the full medical record dating back to the original date of employment, certain blood tests, or specifically what it is the employee wishes. As you realize, if the duplication of this record can be limited to specific areas, it will cut down considerably on cost.
5. Even though you mail this release to Medical Division, please send a fax immediately, the day the person signs it, because we have only 15 working days to respond to the employee's request.

These instructions are merely guidelines to be followed come August 21, if you have such requests. Should there be any new developments regarding this standard, additional memoranda will be submitted.

Charles L. Whetstone M.D.

Charles L. Whetstone, M.D.
Medical Director

kds/Cpl