

PURPOSE

The purpose of this procedure is to outline the protocol for processing incident report requests through the Fire Department.

POLICY

There are two types of reports that may be requested by the public from the Fire Department, a fire incident report or an emergency medical services incident report. There are different criteria involved with processing each request and the following outlines such, including, who is entitled to obtain copies of each report, fees associated with producing copies of each report, and general procedures for processing each request.

Fire Incident Reports

The Fire Incident Report Request Form is available to be filled out to obtain the information needed to pull copies of an incident report, however, requestors may submit a written request in another format provided it includes the name of the requestor, date of incident, type of incident, and/or incident number. Reports are provided free of charge to any individual involved in the incident. Others must purchase a copy of the report based on the following fee schedule:

\$10 if the request is within 30 days of the incident.

\$20 if the request is more than 30 days after the incident date.

Record requests should be processed by administrative staff within 5 working days of receipt of the request.

Copies of the request forms and/or incident reports do not need to be retained for fire incident report requests.

EMS Incident Reports

The EMS Incident Report Request Form is required in order to obtain copies of an EMS incident report, unless the request is made via a court subpoena. If a non-court ordered request is being made, the EMS Report request form must be submitted *in person* at the Fire Department administrative offices.

Written requests accompanied by a court order mandating release of the medical record may be received through the mail.

Medical records will only be released to the patient involved in the incident, unless:

- A court ordered subpoena is presented
- A signed HIPPA Release Form and Power of Attorney is presented
- The patient is a minor child, in which case the parent or guardian must present picture ID when the request is made.
- The patient is deceased, in which case the family member requesting the record must present a copy of the death certificate.
- Proof of identity will be required from the patient or verified patient representative in order to release medical records.

There will be no exceptions to these requirements.

Reports are provided free of charge to the patient. Others must purchase a copy of the report. Fees are as follows:

\$10 if the request is within 30 days of the incident.

\$20 if the request is more than 30 days after the incident date.

Once copies of the medical records have been distributed to the requestor, another copy of all documents shall be kept and filed for the EMS Section's records. The pertinent information regarding the request should also be entered into the Fire Department's Medical Records database.

Subpoenas for Medical Records

If a process server attempts to serve a subpoena at the Fire Department front desk, they must be referred to the City Attorney's Office. The Fire Department shall not accept any subpoenas.

If we receive a subpoena for a medical record from the City Attorney's Office, we shall process it in accordance with the aforementioned procedure, but will send back to the City Attorney's Office for disposition to the requestor, instead of sending it back to the requestor directly. These documents shall be sent to the City Attorney's secretary.

Approved:  _____ 10/7/04
 Robert McKibben, Fire Chief Date