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Ensuring Continued Trust

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Information About the Release and Transfer of Records For Patients



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Information About the Release and Transfer of Records For Patients



Am I entitled to copies of my dental records?

Yes. As a patient, you have the right of access to copies of any or all of your dental records. If you and/or your authorized representative requests a copy of your complete file (chart records, x-ray images, referral slips, study models, photographs, correspondence etc.) this information must be provided.

Is this required by law?

Yes. The release of copies of dental records and/or x-ray images, either to the patient or to a new dentist but only with the patient's consent, is a legal and professional responsibility under the Dentistry Act, 1991. This requirement is also supported by a landmark ruling of the Supreme Court of Canada.

Practice Advisory on Release and Transfer of Patient Records. ▶
(August 2007)

Can I have my original dental x-rays?

No. Dentists are required by law to keep original patient records. Patients are entitled to diagnostic quality duplicate radiographs, whether in film, on photographic quality paper or in appropriate digital formats. Digital images can be provided on removable media or by e-mail with strong encryption.

Release and Transfer of Records ▶
(Dispatch February/March 2011 Pg. 28)

Can my dentist charge me for the release of dental records?

While many dentists will provide copies of dental records at no charge as a courtesy to their patients, a dentist can charge you a fee that is consistent with the direct costs incurred in duplicating and releasing them. This may include out-of-pocket expenses such as mailing costs, charges from a dental laboratory or radiograph duplicating facility, and materials costs. It is not considered appropriate to charge an administrative fee for the dentist's staff's time.

Can I request copies of dental records for my spouse and children?

In most cases, a parent can request and obtain copies of dental records for their children who are under the age of 16 years. While a person may request copies of dental records for their spouse or child aged 16 years and over, the dentist will require consent from these individuals prior to releasing their records to the spouse or parent.

What would be considered a reasonable time for the release and transfer of records?

In general, it is the College's view that the release and transfer of dental records should be accomplished within one to two weeks of receipt of the request from the patient. Whether this is possible may depend on the number and type of dental records that have been requested and whether the services of an outside duplication facility (for dental radiographs and study models) are required.

[Practice Advisory on Release and Transfer of Patient Records](#) 
(August 2007)

Can a dentist withhold the release of my dental records because I owe the dentist money?

No. It is unacceptable to withhold the transfer of records because of an outstanding account balance. This is a separate business issue that can be addressed according to the office's collection policies and protocols. College regulations must be followed, regardless of any financial dispute between a patient and a dentist.

Are there any circumstances when original dental records can be released?

If dental records are required for urgently needed dental treatment at another dental practice and it is not possible to make duplicates in time for the appointment, a dentist could lend original dental records to another dentist at the patient's request. In such cases, the original dental records should be sent directly from dentist to dentist by courier and, after consultation and treatment, the original dental records should be returned to the dentist who has lent them. The dentist who has lent the original dental records should document the patient's consent for this, as well as the subsequent return of the records.

A member of my family is deceased. Can I request a copy of his/her dental records from the dentist?

Under Ontario's Personal Health Information Protection Act (PHIPA), the person legally authorized to consent to the release of the patient's personal health information is the deceased's estate trustee or the person who has assumed responsibility for the administration of the deceased's estate. The dentist may ask to retain a copy of documentation attesting to that person's signed consent to the release of information to the patient's family in the patient's record.

Release of Patient Information of Deceased or Missing Patients ▶

(Dispatch Fall 2005 Pg. 24)