

Records - Destruction at the Request of the Patient?

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... Some states may not have a law that specifies the length of time that patient records must be maintained, but may leave it to the discretion of the practitioner and perhaps applicable ethical standards. Many states, however, do have laws that specify the length of time that patient records must be kept by a therapist or counselor. Do these laws provide for any discretion by the practitioner to comply with the wishes of the patient/consumer for early destruction? Suppose that a high profile patient shares with his or her therapist information of a highly personal or embarrassing nature. Suppose further that after the passage of three years from the time of termination, the patient asks the practitioner to destroy the records in order to protect his or her privacy. If the practitioner agrees to do this, is it permissible? What if the practitioner decides to write a summary and destroy the more revealing full record and the patient agrees? Is this permissible? Something to think about and check out!

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