



**LAW OFFICE OF GERALD
OGINSKI, LLC**

67 Cutter Mill Road
Great Neck, NY 11021

T 516-487-8207

Gerry@Oginski-Law.com

Can you take your original medical records with you when you leave your doctor's care?

You think your doctor caused you serious injury, but now you want to get your original records from the doctor and go to doctor #2, so that he can review whether or not doctor #1 did something wrong. Can you get your original records from doctor #1? You want to know the answer? Come join me for a moment, as I share with you some great information.

Hi, I'm Gerry Oginski, I'm a New York medical malpractice and personal injury attorney, practicing law, here in the state of New York. The answer is, the medical records that the doctor maintains in his office, doctor #1, technically, those are your records. You are permitted to get copies of those records. On the other hand, the doctor is actually required to maintain the original records in his office. There's a special procedure for how long he has to maintain them, and how he has to maintain them.

Now, you want to take those records and bring them to doctor #2, to get another opinion or a second opinion about whether or not your first doctor did something wrong and departed or violated from the basic standards of medical care. Can you get the original, handwritten records? Assuming they're still using handwritten records and not electronic medical records. The answer is no, you can't. What you can get, are copies. Certified copies, indicating that these are valid copies of your original record.

Now, the doctor will charge you copying charges for each of those records, and then you can take them, pay for your copies, and then take them to whichever doctor you wish. Now doctor #2 can review those records and can, obviously, comment on them. To answer the

original question, can you get your original records to take with you? The answer is no, you can't. Some people may say, "Wait a second, but they're my records. They're my personal information." That is true, so you have competing interests. Yes, it's your information, but the doctors have an obligation to keep and maintain their original records, in their office.

Will they give you copies? Absolutely. You fill out the permission slip, asking for copies, they'll charge you for the copies, and now you get copies and you can do with it, whatever you wish. Why do I share this quick information with you? I share it with you just to give you an insight and an understanding into some of the questions that arise in the medical malpractice matter when you think a doctor may have done something improperly to cause you serious injury. I realize you're watching this video because you have questions or concerns about your own particular matter.

If your matter did happen, here in New York, and you're thinking about bringing a lawsuit, but you're unsure, you have legal questions that you need answered. What I encourage you to do is, pick up the phone and call me. I can answer your legal questions. You know, that's something I do every single day and I'd love to chat with you. You can reach me at 516-487-8207 or by e-mail at Gerry@oginski-law.com. That's it for today's video. I'm Gerry Oginski, have a wonderful day.