

furnish the complete copy of this advertising to the Board upon request. The cost of maintaining and providing this advertising copy shall be borne by the licensee.

(d) A full licensee shall include in an advertisement or professional notice her name, business address and degree (M.D. or D.O.).

(e) A full licensee may not represent that he/she holds a degree from a medical school other than that degree which appears on his/her application for registration and has been verified in accordance with the Board's requirements, or if an additional degree was obtained at a later date that it has been verified by the Board.

(12) Requirement to Respond to Board. A licensee shall respond within 30 days to a written communication from the Board or its designee and is to make available to the Board any relevant and authorized records with respect to an inquiry or complaint about the licensee's professional conduct. The 30 day period commences on the date the Board sends the communication by registered or certified mail with return receipt requested to the licensee's last known address.

(13) Requirement to Make Available Certain Records.

(a) A licensee shall maintain a medical record for each patient which is adequate to enable the licensee to provide proper diagnosis and treatment. With respect to patient records existing on or after January 1, 1990, a licensee must maintain a patient's medical records for a minimum period of seven years from the date of the last patient encounter, or until the patient reaches the age of nine (if longer than seven years), and in a manner which permits the former patient or a successor physician access to them within the terms of 243 CMR 2.00.

(b) Upon a patient's request, a licensee shall provide in a timely manner, to a patient, other licensee or other specifically authorized person:

1. The opportunity to inspect that patient's medical record;
2. A copy of such record, except in the circumstances described at 243 CMR 2.07(13)(e);
3. A copy of any previously completed report required for third party reimbursement.

(c) A licensee may charge a reasonable fee for the expense of providing the material enumerated in 243 CMR 2.07(13)(b); however, a licensee may not require prior payment of the charges for the medical services to which such material relates as a condition for making it available. A licensee may charge per page for copies and per hour for clerical time necessary to provide such record. A fee for copying in excess of \$.25/page or a fee for clerical work in excess of \$20.00/hour is presumptively unreasonable. Charges for copies of x-rays and similar documents not reproducible by ordinary photocopying shall be at the licensee's actual cost, plus reasonable clerical fees not in excess of \$20.00/hour.

(d) A licensee shall not charge a fee of any applicant, beneficiary or individual representing said applicant or beneficiary if the record is requested for the purpose of supporting a claim or appeal under any provision of the Social Security Act or any federal or state financial needs-based benefit program. Any person for whom no fee shall be charged shall present reasonable documentation at the time of such record request that the purpose of such request is to support a claim or appeal under any provision of the Social Security Act or any federal or state financial needs-based benefit program.

(e) Licensees who devote a substantial portion of their time to the practice of psychiatry shall abide by the provisions of 243 CMR 2.07(13). If, in the reasonable