Can I Access AI Radiology Reports? Navigating Patient Rights in the Age of Digital Health

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Abstract

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The integration of Artificial Intelligence (AI) into clinical practice, particularly in radiology, is rapidly transforming healthcare. AI algorithms are now routinely assisting in image analysis, flagging critical findings, and even drafting preliminary reports. This technological shift naturally raises a crucial question for patients: **Can I access AI radiology reports?**

The answer is a nuanced "yes," rooted in established patient rights and evolving regulatory frameworks designed to ensure transparency and access to personal health information. For both healthcare professionals and the general public, understanding the legal and ethical landscape of AI-generated medical data is paramount.

The Foundation of Patient Access: HIPAA and the Cures Act

In the United States, the right of a patient to access their medical records is a fundamental principle enshrined in the **Health Insurance Portability and Accountability Act (HIPAA)** Privacy Rule. This rule grants individuals the right to inspect, obtain a copy of, and even request amendments to their Protected Health Information (PHI) held by covered entities.

The advent of AI-generated reports does not negate this right. If an AI system produces a clinical report, a summary, or a finding that is incorporated into the patient’s official medical record, that information is considered PHI and is subject to the same access rights as a traditional, human-generated report.

This right was significantly strengthened by the **21st Century Cures Act** and its subsequent **Information Blocking** regulations. These rules mandate that healthcare providers and IT developers must not engage in practices that unreasonably limit the access, exchange, or use of electronic health information (EHI). For radiology, this has led to a widespread practice of releasing reports to patient portals almost immediately, often before the referring physician has had a chance to review them. This immediate access

applies to the final, legally-attested report, regardless of whether an AI system contributed to its creation.

The Role of AI in Report Generation

It is important to distinguish between the AI *tool* and the final *report*. AI in radiology often serves two primary functions:

1. **Detection and Analysis:** AI algorithms analyze images to detect anomalies, measure structures, and provide quantitative data. This output is typically an input for the human radiologist, who then uses their clinical judgment to create the final, legally binding report. 2. **Report Generation and Simplification:** More advanced AI, including Large Language Models (LLMs), is being used to draft initial reports or, more commonly, to create **patient-friendly summaries** of complex reports.

The patient's right to access extends to the final, attested report. Furthermore, the use of AI to generate simplified reports is a growing trend aimed at improving **health literacy** and patient engagement. Studies have shown that AI-generated plain-language summaries can significantly improve a patient's comprehension of their imaging results [^1].

The Evolving Landscape of Data Ownership and Ethics

While the right to the final report is clear, the ethical and legal questions surrounding the raw AI output and the data used to train the AI are more complex.

Raw AI Output: *Does a patient have a right to the* raw *probability score or the preliminary AI-generated draft that the radiologist ultimately discarded or modified? Current regulations focus on the final, official medical record. Access to preliminary data could lead to misinterpretation and is generally not mandated.* **Data Privacy and Training:** The use of patient data to train AI models is a major area of regulatory focus. While HIPAA governs the use of PHI for research and development, the creation of **synthetic data**—AI-generated data that mimics real patient data but contains no actual PHI—is an emerging practice that may fall outside traditional privacy laws [^2].

The core principle remains that any information used for clinical decision-making and included in the patient's record must be accessible. As AI becomes more autonomous, the line between an AI "tool" and an AI "provider" will blur, demanding new regulatory clarity.

For more in-depth analysis on the intersection of digital health, AI governance, and patient-centric care, the resources at www.rasitdinc.com provide expert commentary and cutting-edge insights into the future of medical technology.

Conclusion

Patients have a clear and legally protected right to access their radiology reports, a right that is reinforced by modern legislation like the 21st Century Cures Act. This right extends to reports where AI has played a role in analysis

or drafting, as the final, attested report is considered a part of the patient's official medical record. The ongoing evolution of AI in healthcare will continue to challenge existing frameworks, but the commitment to patient transparency and access remains the guiding legal and ethical imperative.

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[^1]: Park, J., et al. (2024). Patient-centered radiology reports with generative artificial intelligence. Scientific Reports*, 14(1), 13347. [^2]: Contaldo, M. T., et al. (2024). AI in Radiology: Navigating Medical Responsibility.* Frontiers in Public Health*, 12, 1400331. [^3]: Mezrich, J. L., et al. (2021). Patient Electronic Access to Final Radiology Reports.* Radiology*, 301(1), 18-20.
