SENATE BILL REPORT SB 5098

As of January 23, 2001

Title: An act relating to the costs for reproducing health care records.

Brief Description: Defining the costs for reproducing health care records.

Sponsors: Senator Winsley.

Brief History:

Committee Activity: Health & Long-Term Care: 1/24/01.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Joan K. Mell (786-7447)

Background: If a person wants a copy of his or her health care records, the health care provider must make the records available, but the health care provider is authorized by statute to charge specified fees for the records. The fees are adjusted biennially in accordance with the Consumer Price Index.

Authorized fees are currently:

Per page charge: 79 cents, pages 1-30; 60 cents, all other pages

Clerical fee: \$18.00

Editing fee: \$ the cost of an office visit

Certification fee: \$2.00

Despite this current regulation, patients report unreasonable charges to obtain complete copies of their medical records.

In practice, many records are copied by service companies specializing in the reproduction of health care records. Health care providers, lawyers, insurers and others contract with a copying company to duplicate and deliver the records. Copying companies are not regulated under the health care provider statute. Some copying companies who contract with the health care provider directly are subject to the provisions of the statute.

Under the current statutory provisions, it is permissible for the health care provider to charge both a per page fee and a clerical fee, even under circumstances where the copying service copies the record. A clerical fee may be charged by the health care provider when the copying service has been provided access to obtain the records. Further, patients are charged a clerical fee and per page fee for the treatment records and also for the billing records. The charges for the two different kinds of records may be duplicated by the same provider.

Summary of Bill: The health care provider may charge a per page fee for duplicating the record, but not for searching the record. In addition, the health care provider may charge one clerical fee for duplicating the treatment records and bill. If the health care provider allows a copying company to search for the medical records, then the health care provider must limit its clerical fee to \$10.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.