

FINAL BILL REPORT

SHB 1214

Synopsis as Enacted

C 448 L 93

Brief Description: Modifying the definition of a reasonable fee for certain health care practices.

By House Committee on Health Care (originally sponsored by Representative Appelwick).

House Committee on Health Care
Senate Committee on Health & Human Services

Background: The Uniform Health Care Information Act defines the rights and responsibilities of patients, health care providers and third parties with regard to disclosure of patient health records. A patient's health information contained in the provider's record is confidential and may not be disclosed without the patient's authorization except under specified conditions. However, the patient is entitled to inspect and have a copy of the health record, and can authorize others to receive it.

A health provider may disclose directory information except where the patient objects. Directory information includes the presence and general health condition of the patient.

A health care provider may charge a reasonable fee for copying a patient's health record, not to exceed actual costs, but not higher than the fee that clerks of the superior court charge for copying, that is \$2 for the first page and \$1 for each additional page. In addition, where the certification of a record is requested, there is an additional fee of \$2. Where editing of a record by a health provider is required by statute and is done by the provider personally, the fee may be the usual and customary charge for a basic office visit.

There is no definition of third-party health care payor provided in this chapter of the law. Hospitals are not authorized to release patient information in cases of public record.

Patients may authorize the disclosure of their health records but the authorization is limited to a period of 90 days. The Uniform Health Information Act does not govern access to patient health information under the mental health treatment law.

Summary: Directory information includes, for the purpose of identification, the name, residence, and sex of the patient.

The reasonable fee a health provider may charge for searching and duplicating health information contained in a patient's record cannot exceed 65 cents per page for the first 30 pages and 50 cents per page thereafter. A health care provider may charge an additional \$15 clerical fee. The fees are to be adjusted biennially for inflation according to the Consumer Price Index.

A third-party payor is defined to include insurers, health care service contractors, health maintenance organizations, and employee welfare benefit plans.

Hospitals or health care providers may release information in cases reported specifically by fire, police, sheriff or other public authority. Information which may be released includes the name, residence, sex, age, occupation, condition, diagnosis or extent and location of injuries of the patient, and whether the patient was conscious when admitted.

The 90-day disclosure period of a health record in accordance with a patient's authorization may be extended in two circumstances: (1) when pursuant to an agreement with an alcohol/drug treatment program for monitoring the treatment of an addicted provider; or (2) pursuant to an agreement with a professional disciplinary authority.

A deceased mental health patient's representative may have access to mental health records in the same manner as health records under the Uniform Health Information Act. The Department of Health may have access to mental health records for the purpose of determining compliance with state or federal licensure laws, consistent with the Uniform Health Information Act. The Uniform Health Information Act governs the state's mental health law unless there is an express conflict.

Votes on Final Passage:

House	89	4	
Senate	46	0	(Senate amended)
House	97	1	(House concurred)

Effective: July 1, 1993