
SUBSTITUTE SENATE BILL 5028

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Judiciary (originally sponsored by Senators Franklin and Regala)

READ FIRST TIME 03/05/2001.

1 AN ACT Relating to the legal presumption from certification of
2 medical records; and amending RCW 70.02.070.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.02.070 and 1995 c 292 s 20 are each amended to read
5 as follows:

6 Upon the request of the person requesting the record, the health
7 care provider or facility shall certify the record furnished and may
8 charge for such certification in accordance with RCW 36.18.016(5). No
9 record need be certified until the fee is paid. The certification
10 shall be affixed to the record and disclose:

- 11 (1) The identity of the patient;
- 12 (2) The kind of health care information involved;
- 13 (3) The identity of the person to whom the information is being
14 furnished;
- 15 (4) The identity of the health care provider or facility furnishing
16 the information;
- 17 (5) The number of pages of the health care information;
- 18 (6) The date on which the health care information is furnished; and

1 (7) That the certification is to fulfill and meet the requirements
2 of this section.

3 In a court of law, health care providers' billing statements
4 certified under this section for treatment provided to a patient are
5 presumed to be the reasonable value of health care treatment and are
6 admissible in evidence to establish the charges are usual and customary
7 charges in the community. The presumption that the charges are
8 reasonable and customary may be rebutted by a preponderance of the
9 evidence. The presumption does not shift the burden of proof that the
10 medical treatment was for medical conditions proximately caused by
11 another's fault.

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