

HOUSE BILL REPORT

SHB 1394

As Passed House:

March 4, 2025

Title: An act relating to the retention of hospital medical records.

Brief Description: Concerning the retention of hospital medical records.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Parshley, Obras, Thai, Macri, Lekanoff, Stonier, Bronoske, Simmons, Davis, Reed, Salahuddin, Fosse, Wylie, Ormsby, Hill, Scott and Donaghy).

Brief History:

Committee Activity:

Health Care & Wellness: 1/29/25, 2/7/25 [DPS].

Floor Activity:

Passed House: 3/4/25, 94-0.

Brief Summary of Substitute Bill

- Changes requirements relating to the retention of medical records.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 19 members: Representatives Bronoske, Chair; Lekanoff, Vice Chair; Rule, Vice Chair; Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Marshall, Assistant Ranking Minority Member; Davis, Engell, Low, Macri, Manjarrez, Obras, Parshley, Shavers, Simmons, Stonier, Stuebe, Thai and Tharinger.

Staff: Jim Morishima (786-7191).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Hospitals are required to retain and preserve all patient records directly relating to care and treatment of patients. The retention period varies depending on whether the patient is an adult or a minor as follows:

- For adults, the hospital must retain the records for at least 10 years following the patient's most recent discharge.
- For minors, the hospital must retain the records for at least three years after the patient turns 18 or 10 years, whichever is longer.

Summary of Substitute Bill:

Hospitals are required to retain and preserve all medical records for at least 26 years from the date the record was created. The records may be retained on paper, on microfilm, electronically, or on other media.

The new retention period applies to:

- medical records created prior to the effective date of the act that remain in the custody of the hospital on the effective date of the section; and
- medical records created on or after the effective date of the act.

The new retention period does not apply to medical records no longer retained by the hospital if the hospital complied with the previous retention requirements. The new retention period does not exempt hospitals from compliance with any other record retention requirements. All information collected at each unique visit constitutes a medical record.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Hospitals often retain medical records for decades because the date of discharge is unclear. Paper medical records take up space and are expensive to maintain. This bill is the best way to streamline the medical records statute and is an example of good government and good business efficiency. This bill will reduce the administrative burden on hospitals and limit storage expenses.

(Opposed) None.

(Other) The direction and intent of this bill are good, but clarity should be provided on what constitutes a medical record. Without this clarity, the entire file would have to be retained.

Persons Testifying: (In support) Representative Lisa Parshley, prime sponsor; Rashi Gupta, UW Medicine; and Terri McDaniel, MultiCare Health System.

(Other) Teddi McGuire, Providence Health.

Persons Signed In To Testify But Not Testifying: None.