
Health Care & Wellness Committee

SSB 5239

Brief Description: Concerning the retention of hospital medical records.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Slatter, Nobles and Wilson, C.).

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| <p>Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Changes requirements relating to the retention of medical records. |
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Hearing Date: 3/25/25

Staff: Jim Morishima (786-7191).

Background:

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 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.

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.

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.