

HOUSE BILL REPORT

SSB 5239

As Passed House:

April 9, 2025

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

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.).

Brief History:

Committee Activity:

Health Care & Wellness: 3/25/25, 4/1/25 [DP].

Floor Activity:

Passed House: 4/9/25, 98-0.

Brief Summary of Substitute Bill

- Changes requirements relating to the retention of medical records.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: 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:

Hospitals are required to retain and preserve all patient records directly relating to the care

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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.

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. New fiscal note requested on April 9, 2025.

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 are experiencing budget challenges and are asking for the simplification of medical record retention requirements. In the past, the retention period was based on discharge date, but the discharge date can be difficult to determine when patients are transferred to other facilities. For this reason, some hospitals have medical records dating back to the 1950s. Changing the date to the date the record was created will enable hospitals to destroy old records. This will simplify the process, save money, ease storage requirements, and redirect resources to patient care.

(Opposed) None.

Persons Testifying:

Senator Vandana Slatter, prime sponsor; and Rashi Gupta, UW Medicine.

Persons Signed In To Testify But Not Testifying: None.