
DIGEST

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HB No. 217

Abstract: Prohibits the splitting of medical records requests into separate requests in order to charge additional handling fees, and prohibits any additional charge or fee not specifically authorized by R.S. 40:1299.96(A)(2)(b).

Present law provides, in part, that a patient or his legal representative, or, after suit has been instituted, the defense counsel or the defense insurance company seeking any medical, hospital, or other record relating to the patient's medical treatment, history, or condition, shall have a right to obtain a copy of such record upon furnishing a signed authorization and upon payment of a reasonable copying charge, not to exceed \$1 per page for the first 25 pages, 50¢ per page for 26-500 pages, and 25¢ per page thereafter, a handling charge not to exceed \$15 for hospitals, nursing homes, and other health care providers, and actual postage, and further provides that the above-named individuals shall also have the right to obtain copies of patient X-rays, microfilm, and electronic and imaging media upon payment of reasonable reproduction costs and a handling charge of \$20 for hospitals and \$10 for other health care providers.

Present law provides, in part, that if a copy of the record is not provided within a reasonable period of time, not to exceed 15 days following the receipt of the request and written authorization, and production of the record is obtained through a court order or subpoena duces tecum, the health care provider shall be liable for reasonable attorney fees and expenses incurred in obtaining the court order or subpoena duces tecum.

Proposed law retains present law and specifies that invoice or billing statements are subject to medical records requests, that certified copies may be requested, and that each request for records shall be subject to only one handling charge.

Proposed law prohibits any additional charge or fee not specifically authorized by present law.

(Amends R.S. 40:1299.96(A)(2)(b))