
By: Senator Madden

Introduced and read first time: February 2, 1996

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Copies of Medical Records - Dissolution of Physician Groups - Charges**

3 FOR the purpose of prohibiting a physician from charging a patient a certain fee for
4 copying a medical record if the patient's request for a copy of the medical record is
5 due to the voluntary dissolution of a physician group with which therecord
6 belonged prior to the dissolution of the group.

7 BY repealing and reenacting, with amendments,
8 Article - Health - General
9 Section 4-304(c)
10 Annotated Code of Maryland
11 (1994 Replacement Volume and 1995 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Health - General**

15 4-304.

16 (c) (1) The provisions of this subsection do not apply to x-rays.

17 (2) A health care provider may require a person in interest or any other
18 authorized person who requests a copy of a medical record to pay the cost of copying:

19 (i) For State facilities regulated by the Department of Health and
20 Mental Hygiene, as provided in § 10-621 of the State Government Article; or

21 (ii) For all other health care providers, the reasonable cost of
22 providing the information requested.

23 (3) (i) Subject to the provisions of paragraph [(4)] (5) of this subsection,
24 for a copy of a medical record requested by a person in interest or anyother authorized
25 person under paragraph (1)(ii) of this subsection, a health care provider may charge a fee
26 for copying and mailing not exceeding 50 cents for each page of the medical record.

27 (ii) In addition to the fee charged under subparagraph (i)of this
28 paragraph, a hospital or a health care provider may charge:

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1 1. A preparation fee not to exceed \$15 for medical record
2 retrieval and preparation; and

3 2. The actual cost for postage and handling of the medical
4 record.

5 (4) (I) A HEALTH CARE PROVIDER MAY NOT CHARGE A PATIENT FOR
6 MAKING ONE COPY OF A RECORD WHEN THE PATIENT'S REQUEST FOR A COPY OF
7 THE RECORD IS AS A CONSEQUENCE OF THE VOLUNTARY DISSOLUTION OF A
8 PHYSICIAN GROUP TO WHICH THE PATIENT RECORD BELONGED PRIOR TO THE
9 DISSOLUTION OF THE GROUP.

10 (II) FOR PURPOSES OF THIS PARAGRAPH, A VOLUNTARY
11 DISSOLUTION DOES NOT INCLUDE THE DEATH, DISABILITY, OR RETIREMENT OF A
12 PHYSICIAN.

13 [(4)] (5) On or after July 1, 1995, the fees charged under paragraph (2) of
14 this subsection may be adjusted annually for inflation in accordance with the Consumer
15 Price Index.

16 [(5)] (6) Notwithstanding any other provision of law, any person or entity
17 who is not subject to the provisions of this subsection and who obtains a medical record
18 from a health care provider or the provider's agent may not charge a fee for any
19 subsequent copies of that medical record that exceeds the fee authorized under
20 paragraph (2)(i) of this subsection.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 1996.