

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

House Bill 824 (Delegate Bobo, *et al.*)

Environmental Matters

Personal Medical Records - Ownership and Transfer of Records

This bill provides that a patient is the owner of the patient's personal medical record.

Fiscal Summary

State Effect: The bill would not materially affect governmental operations or finances.

Local Effect: None.

Small Business Effect: Potential minimal. Small business health care providers would be required to provide an individual's personal medical record to the individual, or transfer the record to another health care facility or provider. To the extent requests for medical records increase, small business providers' administrative costs could increase.

Analysis

Bill Summary: The bill defines a "personal medical record" as: (1) any report, note, order, photograph, x-ray, or other recorded data or information that is received or produced by a health care facility, health care provider, or an employee of a health care facility or provider; and (2) information related to a patient's medical history, examination, diagnosis, or treatment.

A health care facility or provider, upon receipt of a written request, must transfer an original personal medical record in its entirety to the individual making the request if the individual is: (1) the patient; (2) the patient's legal representative; (3) the patient's custodian; or (4) in the case of a minor, a minor's parent, legal guardian, or custodian.

Prior to the transfer to an individual, a health care facility or provider may copy the personal medical record or a portion thereof for professional purposes.

An authorized individual has the right to request that a personal medical record be transferred to another health care facility or provider, and request that a record that has been transferred elsewhere be returned to the individual.

Current Law: None applicable.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): CareFirst BlueCross BlueShield of Maryland, Department of Health and Mental Hygiene (Boards and Commissions), Department of Legislative Services

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