

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 690

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “authorizing certain health care providers who disclose certain medical records to charge certain fees;”; in line 6, after “from” insert “certain parties or”; in line 15, after “Section” insert “4-304(c),”; and in the same line, after “4-306(b)(6)” insert a comma.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“4-304.

(c) (1) (i) In this subsection, “medical record” includes a copy of a medical bill that has been requested by an individual.

(ii) The provisions of this subsection do not apply to x-rays.

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

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

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

(3) (i) Subject to the provisions of paragraph (4) of this subsection, for a copy of a medical record requested by a person in interest or any other authorized person under

(Over)

paragraph (2)(ii) of this subsection, a health care provider may charge a fee for copying and mailing not exceeding 50 cents for each page of the medical record.

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

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

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

(4) On or after July 1, 1995, the fees charged under paragraph (3) of this subsection may be adjusted annually for inflation in accordance with the Consumer Price Index.

(5) A HEALTH CARE PROVIDER WHO DISCLOSES A MEDICAL RECORD UNDER § 4-306 OF THIS SUBTITLE MAY CHARGE FEES FOR THE RETRIEVAL, COPYING, PREPARATION, MAILING, AND ACTUAL COST OF POSTAGE AND HANDLING OF THE MEDICAL RECORD.

[5] (6) Notwithstanding any other provision of law, any person or entity who is not subject to the provisions of this subsection and who obtains a medical record from a health care provider or the provider's agent may not charge a fee for any subsequent copies of that medical record that exceeds the fee authorized under paragraph (3)(i) of this subsection.”.

AMENDMENT NO. 3

On page 2, in line 11, strike “AN” and substitute “A WRITTEN”; in the same line, after “THE” insert “PARTY OR THE”; in line 14, after the first “THE” insert “DESIGNATED”; in line 22, strike “ALLOWING” and substitute “EXPRESSLY AUTHORIZING”; in line 23, after “THE” insert “DESIGNATED”; in line 24, after “(II)” insert “FOR DISCLOSURES MADE UNDER ITEM (I) OF THIS PARAGRAPH,”; and in the same line, after “MAILED” insert “BY CERTIFIED MAIL”.

On page 3, in line 22, strike “WRIT OF SUMMONS” and substitute “SUBPOENA”.