

HOUSE BILL 153

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(PRE-FILED)

4lr0484
CF SB 144

By: Delegates Rosenberg and Stein, Stein, Pena-Melnyk, Cullison, Alston, Bagnall, Bhandari, Guzzone, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Kipke, R. Lewis, Lopez, Martinez, and Reilly

Requested: August 14, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judiciary

Reassigned: Health and Government Operations, January 16, 2024

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 20, 2024

CHAPTER _____

1 AN ACT concerning

2 **Medical Records – Fees – Attorneys Representing Patients**

3 FOR the purpose of adding an attorney representing a patient to the list of individuals to
4 whom a health care provider is prohibited from charging a fee for providing copies of
5 a medical record that will be used for the purpose of filing a claim regarding or
6 appealing a denial of Social Security disability income or Social Security benefits;
7 and generally relating to fees for medical records.

8 BY repealing and reenacting, without amendments,

9 Article – Health – General

10 Section 4–304(a)(1)

11 Annotated Code of Maryland

12 (2023 Replacement Volume)

13 BY repealing and reenacting, with amendments,

14 Article – Health – General

15 Section 4–304(c)(5)

16 Annotated Code of Maryland

17 (2023 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Health – General**

4 4–304.

5 (a) (1) Except as otherwise provided in this subtitle, a health care provider
6 shall comply within a reasonable time after a person in interest requests in writing:

7 (i) To receive a copy of a medical record; or

8 (ii) To see and copy the medical record.

9 (c) (5) A health care provider or a representative of the health care provider
10 may not charge a fee for providing copies of a medical record:

11 (i) Requested by:

12 1. The patient;

13 2. The patient’s personal representative; [or]

14 3. An employee or other representative of a nonprofit legal
15 services entity or other volunteer or nonprofit program representing the patient; [and] OR

16 4. **AN ATTORNEY WHO PROVIDES DOCUMENTATION**
17 **THAT THE ATTORNEY IS REPRESENTING THE PATIENT FOR THE PURPOSE**
18 **DESCRIBED IN ITEM (II) OF THIS PARAGRAPH; AND**

19 (ii) That will be used for the purpose of filing a claim regarding or
20 appealing a denial of Social Security disability income or Social Security benefits under
21 Title II or Title XVI of the Social Security Act.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2024.