

HB 894 Public Health TS.pdf

Uploaded by: Martin, Dan

Position: FAV

TESTIMONY IN SUPPORT OF
HB 849 Public Health - Medical Records - Fees
March 24, 2021
Senate Finance Committee

My name is Terry Shenk. I work as a SOAR Specialist. SOAR assists those who have a severe, chronic mental health diagnosis and are facing homelessness to apply for SSI and SSDI. In order to have documentation to support our claim of disabled, we must request records from all current and past providers. At times the number of sources needed is great.

The consumers have no means to pay for these records and those who work with the SOAR program work for nonprofit organizations. These fees are a burden on the agencies that must pay in order to get the required evidence for their consumers to be approved for benefits. It is vital that these low income, no income individuals have the opportunity to obtain needed information from their providers. I support HB 849 and encourage your support.

HB0849 Medical Records Fees - 032421 FIN - FAV.pdf

Uploaded by: Martin, Dan

Position: FAV



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House Bill 849 Public Health – Medical Records – Fees

Finance Committee

March 24, 2021

Position: SUPPORT

The Mental Health Association of Maryland is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health and substance use disorders (collectively referred to as behavioral health). **We appreciate the opportunity to provide this testimony in support of House Bill 849.**

HB 849, as amended by the sponsor, is a simple bill that does one thing – it ensures very low-income disabled Marylanders can access the medical records they need to secure essential public benefits.

The bill prohibits the charging of a fee for providing copies of a medical record necessary to apply for disability benefits under the Social Security Act. This includes federal Social Security and Supplemental Security Income disability programs ([SSI/SSDI](#)).

By definition, the people applying for these programs are disabled individuals who have little or no income and resources. Even the nominal cost of a medical record may prevent them from securing the assistance they need to survive.

For some low-income disabled Marylanders, the cost of a medical record places the help they need just out of reach. HB 849 removes that barrier. **For this reason, MHAMD supports this bill and urges a favorable report.**

For more information, please contact Dan Martin at (410) 978-8865

KVOTO TESTIMONY HB 849.docx Senate Finance.pdf

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Position: FAV

TESTIMONY IN SUPPORT OF
HB 849 Public Health - Medical Records - Fees
March 24, 2021
Senate Finance Committee

My name is Kristin Voto, and I am a SOAR specialist with the St. Marys County Health Department. I currently help serve those who are homeless, or at risk for becoming homeless and have a mental health diagnosis, obtain SSI/SSDI.

I appreciate the opportunity to provide this testimony in support of House Bill 849.

HB 849 will eliminate fees for medical records for people applying for public benefits such as Social Security Disability.

This bill is critical in my efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. Fees for medical records are needed to prove disability, but very often the applicant has no funds to pay for these records, and my nonprofit is not in a position to cover the cost.

HB 849 would ensure that low income Marylanders can access the records they need to secure vital public benefits. For this reason, I support HB 849 and urge a favorable report.

Respectfully,

Kristin Voto, B.S.

SOAR Coordinator

St. Mary's County Health Department- Behavioral Health Division

21580 Peabody Street

Leonardtown, MD 20650

Office: 301-475-8190

Testimony Andrea Eiblum 3 24 21.pdf

Uploaded by: Martin, Dan

Position: FAV

**ANDREA EIBLUM, MS, LCPC
5963 EXCHANGE DRIVE
ELDERBURG, MD 21784**

TESTIMONY IN SUPPORT OF

HB 849 Public Health - Medical Records – Fees

March 24, 2021

Senate Finance Committee

My name is Andrea Eiblum and my role as a SOAR Case Manager at Springfield Hospital Center is to assist people with serious mental illness who are homeless or at risk of homelessness, with applying for Social Security benefits. I appreciate the opportunity to provide this testimony in support of House Bill 849. HB 849 will eliminate fees for medical records for people applying for public benefits such as Social Security Disability.

This bill is critical in my efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. There are often fees for medical records needed to prove disability, but very often the applicant has no funds to pay for these records, and my nonprofit is not in a position to cover the cost. This is an essential piece of legislation to ensure we have the medical evidence to prove disability for the vulnerable individuals we serve who are often homeless and diagnosed with serious and debilitating mental health conditions.

HB 849 would ensure that low income Marylanders can access the records they need to secure vital public benefits. For this reason, I support HB 849 and urge a favorable report.

Sincerely,



Andrea Eiblum, LCPC
SOAR Specialist
5963 Exchange Drive #109
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443-629-5887 (office)

testimony HB 849 KU.pdf

Uploaded by: Martin, Dan

Position: FAV

TESTIMONY IN SUPPORT OF HB 849

March 24, 2021

Senate Finance Committee

Kristin Urban, SOAR Case Manager at Prologue Inc.

I am writing in support of HB 849, a bill that seeks to remove charges for medical records for people applying for public benefits such as Social Security Disability. My role as a SOAR Case Manager is to assist people with serious mental illness and who are homeless or at risk of homelessness with applying for such benefits. My non-profit organization has no budget to pay for records, and medical records are needed to prove disability. Neither we nor the applicant has the funds to pay. This is a much needed piece of legislation.

Kristin Urban
2/26/21



TESTIMONY IN SUPPORT OF HB 849 Perret.pdf

Uploaded by: Martin, Dan

Position: FAV

TESTIMONY IN SUPPORT OF

HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee

My name is Yvonne M. Perret, LCSW-C. I am a licensed clinical social worker whose work for the past 27 years has focused on assisting adults who are homeless or at risk of homelessness and who have diagnoses of serious mental illness or co-occurring disorders. The aim is to access resources and benefits so as to end their homeless status. I am also the primary founder of a program called SOAR (SSI/SSDI Outreach, Access and Recovery), which is a model that trains others in assisting this population. SOAR exists in all counties throughout Maryland; those who are trained are staff of nonprofit and public agencies. Such programs have no budget to pay for obtaining medical records, a key part of the SOAR process. I appreciate the opportunity to provide this testimony in support of House Bill 849.

HB 849 will eliminate fees for medical records for people applying for public benefits such as Social Security Disability.

This bill is critical in my efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. Fees for medical records are needed to prove disability but, very often, neither the applicant nor those assisting them, either through SOAR or other not-for-profit work, have no funds to pay for these records.

HB 849 would ensure that low income Marylanders can access the records they need to secure vital, and often life-saving, public benefits. For this reason, I support HB 849 and urge a favorable report.

TESTIMONY IN SUPPORT OF HB 849 Frazer.pdf

Uploaded by: Martin, Dan

Position: FAV

TESTIMONY IN SUPPORT OF

HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee

My name is Victoria Frazer, LMSW, Program Manager and Local SOAR Lead for Prince George's County Department of Social Services - Community Services Division in the Office of Housing and Homeless Services. Our division facilitates the County's Homeless Continuum of Care (CoC) system, administers the County's Homeless Management Information System (HMIS) database and coordinates the County's annual homeless Point-in-Time (PIT) count. I appreciate the opportunity to provide this testimony in support of House Bill 849.

HB 849 will eliminate fees for medical records for people applying for public benefits such as Social Security Disability.

This bill is critical in my efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. Fees for medical records are needed to prove disability, but very often the applicant has no funds to pay for these records, and my nonprofit is not in a position to cover the cost.

HB 849 would ensure that low income Marylanders can access the records they need to secure vital public benefits. For this reason, I support HB 849 and urge a favorable report.

TESTIMONY IN SUPPORT OF HB 849 Hollins.pdf

Uploaded by: Martin, Dan

Position: FAV

TESTIMONY IN SUPPORT OF

HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee

My name is Charles Hollins. I work as Benefits Case Manager for Maryland Benefits Counseling Network, a non-profit agency funded by the State of Maryland. In that capacity, I assist local beneficiaries in dealing with the arcane rules and regulations which govern Social Security benefits and Supplemental Security Income. One of my tasks is also to assist individuals in applying for those benefits.

I appreciate the opportunity to provide this testimony in support of House Bill 849 which will eliminate fees for medical records for people applying for public benefits.

This bill is critical in my efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. One of the criteria for a successful SSI application is that the potential beneficiary must have countable income that is no more than \$794 a month and resources under \$2,000. The charging of any kind of fee for medical records therefore presents a hugely significant barrier to an individual whose indigence is in large part a reason behind the application for the benefit.

While there are no such restrictive resource requirements for SSDI, it must be noted that individuals apply for the benefit at a time when they are unable to work and earn a substantial income. Again, the obligation to submit a fee for medical records when one has limited income has been, and remains, a huge impediment to those individuals seeking to secure a measure of financial stability as they deal with the challenges of living with a disability.

Therefore, as HB 849 would ensure that low-income Marylanders can access the records they need to secure vital public benefits I support HB 849 and urge a favorable report.

TESTIMONY IN SUPPORT OF HB 849 Summerlot.pdf

Uploaded by: Martin, Dan

Position: FAV

TESTIMONY IN SUPPORT OF

HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee

My name is John Summerlot and I work for the Prince George's County (Maryland) Department of Social Services. I am a SOAR trained Case Manager in the Homeless Street Outreach Team. I appreciate the opportunity to provide this testimony in support of House Bill 849.

HB 849 will eliminate fees for medical records for people applying for public benefits such as Social Security Disability.

This bill is critical in my efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. Fees for medical records are needed to prove disability, but very often the applicant has no funds to pay for these records, and the Department of Social Services is not in a position to cover the cost.

HB 849 would ensure that low income Marylanders can access the records they need to secure vital public benefits. For this reason, I support HB 849 and urge a favorable report.

Testimony in Support of HB 849_Stephanie Feigenbau

Uploaded by: Martin, Dan

Position: FAV

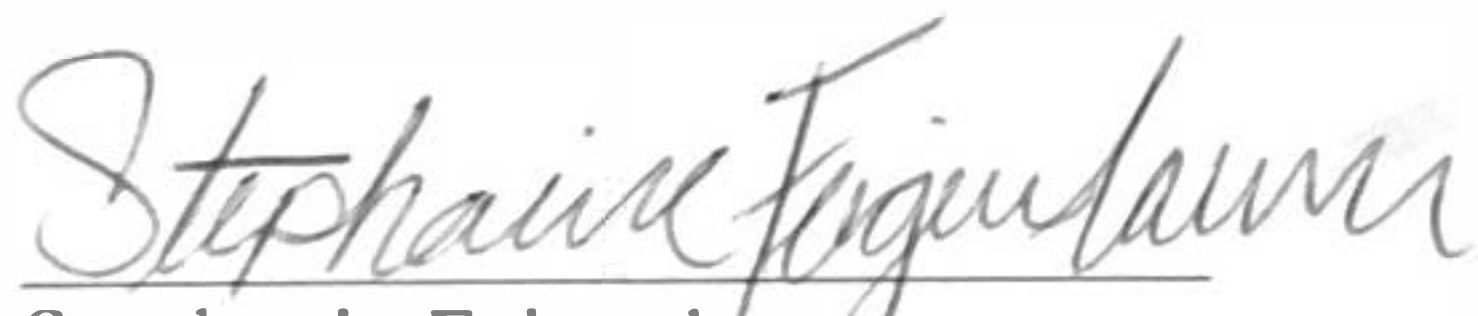
TESTIMONY IN SUPPORT OF HB 849

March 24, 2021

Senate Finance Committee

Stephanie Feigenbaum, Homeless Outreach Case Manager at Prologue Inc.

I am writing in support of HB 849, a bill that seeks to remove charges for medical records for people applying for public benefits such as Social Security Disability. My role is to assist people with serious mental illness and who are homeless or at risk of homelessness with applying for such benefits. My non-profit organization has no budget to pay for records, and medical records are needed to prove disability. Neither we nor the applicant has the funds to pay. This is a much needed piece of legislation.



Stephanie Feigenbaum
Homeless Outreach Case Manager
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HB0849 Med Records_FAV_OAG HEAU.pdf

Uploaded by: O'Connor, Patricia

Position: FAV

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Attorney General

WILLIAM D. GRUHN
Chief
Consumer Protection Division



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STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL
CONSUMER PROTECTION DIVISION

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March 24, 2021

To: The Honorable Delores G. Kelley
Chair, Finance Committee

From: The Office of the Attorney General's Health Education and Advocacy Unit

Re: House Bill 849 (Public Health – Medical Records – Fees): Support

The Office of the Attorney General's Health Education and Advocacy Unit (HEAU) supports House Bill 849. A new provision to the Medical Records Act would prohibit providers from charging fees to patients, their personal representatives or certain authorized program representatives for copies of medical records to support a claim or appeal relating to Social Security benefits (page 3, lines 26-33 through page 4, lines 1- 7). The HEAU assists consumers who complain they cannot afford fees for medical records and we believe this new provision would have a remedial effect for applicants seeking Social Security benefits.

We urge the Committee to give House Bill 849 a favorable report.

cc: Sponsor

testimony for med records HB 894 Public Health TS.

Uploaded by: Perret, Yvonne

Position: FAV

TESTIMONY IN SUPPORT OF
HB 849 Public Health - Medical Records - Fees
March 24, 2021
Senate Finance Committee

My name is Terry Shenk. I work as a SOAR Specialist. SOAR assists those who have a severe, chronic mental health diagnosis and are facing homelessness to apply for SSI and SSDI. In order to have documentation to support our claim of disabled, we must request records from all current and past providers. At times the number of sources needed is great.

The consumers have no means to pay for these records and those who work with the SOAR program work for nonprofit organizations. These fees are a burden on the agencies that must pay in order to get the required evidence for their consumers to be approved for benefits. It is vital that these low income, no income individuals have the opportunity to obtain needed information from their providers. I support HB 849 and encourage your support.

TESTIMONY IN SUPPORT OF HB 849 BB.pdf

Uploaded by: Perret, Yvonne

Position: FAV

TESTIMONY IN SUPPORT OF

HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee

My name is Betsy Bowman. I appreciate the opportunity to provide this testimony in support of House Bill 849.

HB 849 will eliminate fees for medical records for people applying for public benefits such as Social Security Disability.

This bill is critical in my efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. Fees for medical records are needed to prove disability, but very often the applicant has no funds to pay for these records, and my nonprofit is not in a position to cover the cost.

HB 849 would ensure that low income Marylanders can access the records they need to secure vital public benefits. For this reason, I support HB 849 and urge a favorable report.

TESTIMONY IN SUPPORT OF HB 849 J Decker .pdf

Uploaded by: Perret, Yvonne

Position: FAV

TESTIMONY IN SUPPORT OF

HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee

My name is Jason Decker and I am the SOAR lead and case manager for the Frederick Community Action Agency. My position covers Frederick and Washington Counties helping homeless individuals with mental illness apply for benefits such as Supplemental Security Income, Social Security Disability Income, and with state benefits. I appreciate the opportunity to provide this testimony in support of House Bill 849.

HB 849 will eliminate fees for medical records for people applying for public benefits such as Social Security Disability.

This bill is critical in efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. Fees for medical records are needed to prove disability, but very often the applicant has no funds to pay for these records, and most nonprofit organizations are not able to cover the cost.

While I work for a government agency and am not affected by these fees currently, I have worked for several organizations in the past for which these fees have posed a barrier for the people I serve.

HB 849 would ensure that low income Marylanders can access the records they need to secure vital public benefits. For this reason, I support HB 849 and urge a favorable report.

Thank you for your time,

Jason Decker, Case Manger

Frederick Community Action Agency

TESTIMONY IN SUPPORT OF HB 849 Marc Bowman.pdf

Uploaded by: Perret, Yvonne

Position: FAV

TESTIMONY IN SUPPORT OF

HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee

My name is Marc A. Bowman and I am a Certified SOAR Specialist with Healthcare for the Homeless in Baltimore City, Maryland. SOAR stands for SSI/SSDI Outreach, Access and Recovery. My role involves helping to expedite Social Security benefit claims for Veterans and nonveterans whom are chronically homeless or at risk of homelessness. Additionally, many of the persons I serve have severe and persistent mental health and medical problems, and fall well below the poverty line both locally and nationally. Also, the target population that I serve has very limited income or no income at all. I appreciate the opportunity to provide this testimony in support of House Bill 849.

HB 849 will eliminate fees for medical records for people applying for public benefits such as Social Security Disability.

This bill is critical in my efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. Fees for medical records are needed to prove disability, but very often the applicant has no funds to pay for these records, and my nonprofit is not in a position to cover the cost.

HB 849 would ensure that low income Marylanders can access the records they need to secure vital public benefits. For this reason, I support HB 849 and urge a favorable report.

TESTIMONY IN SUPPORT OF HB 849 dm.pdf

Uploaded by: Perret, Yvonne

Position: FAV

TESTIMONY IN SUPPORT OF

HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee

My name is Melonie Penkala and I work for EveryMind in Montgomery County. I work directly with homeless clients helping them obtain benefits. It can sometimes be a challenge for our clients to access their records because they do not have income. This bill will make a great impact on our homeless population.

I appreciate the opportunity to provide this testimony in support of House Bill 849. HB 849 will eliminate fees for medical records for people applying for public benefits such as Social Security Disability.

This bill is critical in my efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. Fees for medical records are needed to prove disability, but very often the applicant has no funds to pay for these records, and my nonprofit is not in a position to cover the cost.

HB 849 would ensure that low income Marylanders can access the records they need to secure vital public benefits. For this reason, I support HB 849 and urge a favorable report.

TESTIMONY IN SUPPORT OF HB 849-A. Jacquette.pdf

Uploaded by: Perret, Yvonne

Position: FAV

TESTIMONY IN SUPPORT OF
HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee

My name is Autumn Jacquette and I work as a SOAR specialist in the Eastern Shore Hospital Center located in Cambridge, MD. The patients that I work with often have been hospitalized multiple times in multiple hospitals or have been treated by multiple providers and need access to many different records. I appreciate the opportunity to provide this testimony in support of House Bill 849.

HB 849 will eliminate fees for medical records for people applying for public benefits such as Social Security Disability.

This bill is critical in my efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. Fees for medical records are needed to prove disability, but very often the applicant has no funds to pay for these records, and my nonprofit is not in a position to cover the cost.

HB 849 would ensure that low income Marylanders can access the records they need to secure vital public benefits. For this reason, I support HB 849 and urge a favorable report.

TESTIMONY IN SUPPORT OF HB849 CB.pdf

Uploaded by: Perret, Yvonne

Position: FAV

TESTIMONY IN SUPPORT OF

HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee

My name is Caroline Bolas. I have been supporting individuals living with severe mental illness and who are either homeless or at risk of homelessness to access SSI/SSDI benefits for over 10 years. During this time, I have seen just how important obtaining these benefits are in terms of increasing well-being, accessing housing, obtaining healthcare, and providing much needed stability. However, I have also seen that for many of those we serve, being asked to pay for medical records presents an insurmountable barrier when applying for public benefits. For those who have no income and are unable to gain/maintain employment due to their impairments, being charged for medical records, even when it might seem a relatively small amount, can cause additional stress and dissuade individuals from continuing with their much needed application. This situation is compounded by the fact that often individuals who have experienced homelessness have to obtain medical records from multiple sources.

I appreciate the opportunity to provide this testimony in support of House Bill 849. HB 849 would help ensure better equity in enabling low income Marylanders to access the records they need to secure life changing public benefits. For this reason, I support HB 849 and urge a favorable report.

Caroline Bolas
President and CEO
LEVELheaded Inc.
Tel: 240 314 0331
Email: caroline@levelheadedinc.com

TESTIMONY IN SUPPORT OF HB849 (CarmelaG) 2.25.21.p

Uploaded by: Perret, Yvonne

Position: FAV

TESTIMONY IN SUPPORT OF

HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee

My name is Carmela George. I am the Manager of Adult Services with the Montgomery County Local Behavioral Health Authority and the SSI/SSDI Outreach Access & Recovery (SOAR) county Lead. I have been helping consumers in need of disability benefits via the SOAR Program since 2015 when I served as a street outreach worker. In my capacity as local SOAR lead, I have oversight of 80+ SOAR trained specialists who work with individuals living with severe and persistent mental illness and who are either homeless or at risk of homelessness. I appreciate the opportunity to provide this testimony in support of House Bill 849.

For individuals living with behavioral health disorders and facing homelessness, obtaining disability and other public benefits is often what opens the door to adequate healthcare, rehabilitation, and housing. Due to the transient nature of the population we serve and the severity of symptoms, most individuals have no source of income, no natural supports, and are often too impaired to maintain employment. The regular process of obtaining benefits can take up to a year to complete. Eliminating fees associated with medical records for SSI/SSDI applicants would significantly improve access, care coordination, and reduce undue delays. In my experience, when healthcare providers insist on payment for medical records, it not only disrupts the disability application process, but also discourages consumers, who are already overwhelmed, from applying for needed benefits and resources.

HB849 would promote equity and ensure that the most vulnerable individuals in our community get the help and resources needed to attain better quality lives. For this reason, I support HB849 and urge a favorable report.

Thank you.

Carmela George

Adult Services Manager

Local Behavioral Health Authority (LBHA)

Montgomery County Health and Human Services

Carmela.george@montgomerycountymd.gov

Cell: 240.506.4130

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Testimony of HB849- TR.pdf

Uploaded by: Perret, Yvonne

Position: FAV

TESTIMONY IN SUPPORT OF

HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee

My name is Tristan Roberts and I am the SOAR Coordinator at Health Care for the Homeless in Baltimore City. The SOAR team works with those who are experiencing homelessness or living in unstable housing. Receiving SSI/SSDI benefits could eliminate housing barriers for those who are most vulnerable and submitting medical records are a necessary part of an individual's application for benefits.

HB 849 will eliminate fees for medical records for people applying for public benefits such as Social Security Disability. By eliminating the fees for medical records for public benefits, HB 849 will ensure that low-income Marylanders can access the medical records they need to obtain important benefits.

This bill is critical in my efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. Fees for medical records are needed to prove disability, but very often the applicant has no funds to pay for these records, and my nonprofit is not in a position to cover the cost.

HB 849 would ensure that low income Marylanders can access the records they need to secure vital public benefits. For this reason, I support HB 849 and urge a favorable report.

I appreciate the opportunity to provide this testimony in support of House Bill 849.

TestimonyMedicalRecords Masciarelli.pdf

Uploaded by: Perret, Yvonne

Position: FAV

TESTIMONY IN SUPPORT OF
HB 849 Public Health - Medical Records - Fees

March 24, 2021

Senate Finance Committee



I am a SOAR Specialist for Healthcare for the Homeless in Baltimore, MD and Spring Grove Hospital Center in Catonsville, MD. Most of clients are in the hospital due to Incompetent to Stand Trial due to mental illnesses. As a result of their conditions, many of my clients have no financial or material resources, nor understanding of the process, or need for income to take care of themselves. I appreciate the opportunity to provide this testimony in support of House Bill 849.

HB 849 will eliminate fees for medical records for people applying for public benefits such as Social Security Disability. This bill is critical in my efforts to assist seriously mentally ill people who are homeless or at risk of homelessness apply for public benefits. Fees for medical records a needed to prove disability, but very often the applicant has no funds to pay for these records, and my nonprofit is not in a position to cover the cost.

HB 849 would ensure that low income Marylanders can access the records they need to secure vital public benefits. For this reason, I support HB 849 and urge a favorable report.

Sincerely,

Rachel Masciarelli

Rachel Masciarelli, MPH
SOAR Specialist
Healthcare for the Homeless
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Everyone deserves to go home.

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[@hchomeless](https://twitter.com/hchomeless)

HB849 - Medical Records Fees - Del. Rosenberg (Sen

Uploaded by: Rosenberg, Samuel

Position: FAV

SAMUEL I. "SANDY" ROSENBERG
Legislative District 41
Baltimore City

Health and Government Operations
Committee

Chair

Government Operations and
Health Facilities Subcommittee

House Chair

Joint Committee on Administrative,
Executive, and Legislative Review



THE MARYLAND HOUSE OF DELEGATES
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Testimony of Delegate Samuel I. Rosenberg
Before the Senate Finance Committee
In Support Of
House Bill 849
Public Health – Medical Records – Fees

Madam Chairwoman and Members of the Committee:

There are many surcharges and fees we are subject to in our daily lives. Some are warranted and pay for required services. Others should be more carefully examined as to what purpose they serve. Unnecessary fees can make it more difficult for those already struggling financially and can effectively become another tax on being poor.

One service that health care providers offer is making copies of their patients' medical records. It comes as no surprise to learn that even this act is charged to the patient, regardless of why the copies are needed. Is it fair to charge these fees when the copies of a patient's own medical records are needed to apply for State benefits? That is the question before us.

House Bill 849 as amended would bar a health care provider from charging a fee for copies of medical records, if the copies are for the purpose of claiming or appealing a denial of Social Security disability income or benefits.

HB 849 would eliminate an unnecessary fee and provide financial relief for those who have already demonstrated their need for it. Prior to this hearing, the interested stakeholders came to a consensus on the provisions of this bill as it was amended.

I urge the Committee to act favorably on House Bill 849.

March 24, 2021

MAJ Position Paper -- 2021 HB 849 -- Medical Recor

Uploaded by: Tolley, George

Position: FAV



Maryland Association for Justice, Inc.

2021 Position Paper

Public Health – Medical Records – Fees HB 849 – FAVORABLE WITH AMENDMENTS

In response to abuses by the “healthcare information management” industry, which was charging patients thousands of dollars to obtain copies of their own medical records, Md. Health-Gen. Code § 4-304 was amended in 2016 to cap the total fees that could be charged to patients requesting an *electronic copy* (essentially, a .pdf file) of their electronic medical records. The cap applies to requests for records made by patients and their attorneys. § 4-301(l).

Section 4-304 also was amended in 2016 to incorporate federal regulations promulgated by the U.S. Department of Health and Human Services under its authority to implement the federal HIPAA and HITECH Acts, pertaining to patient access to electronic medical records. In a Privacy Rule Guidance issued by DHHS in 2016, medical record access fees were capped at the “Patient Rate” (45 CFR 164.524) of \$6.50 for electronic copies of electronic medical records.

The “health information management” industry challenged the “Patient Rate” in a lawsuit brought against the Trump Administration. *CIOX v. Azar*, 435 F. Supp. 3d 30 (D.D.C. 2020). On January 23, 2020, the federal judge in that case decided that 45 CFR 164.524 could not limit the fees that “health information management” charge for access to electronic medical records to individuals other than the patient.

Unfortunately, the Trump Administration chose not to appeal the *CIOX* decision, which has exposed guardians, medical powers-of-attorney, and patient advocates to the extortionate fees charged by the “health information management” industry.

As introduced, HB 849 *repeals* the 2016 cap on medical record copying fees. The state law cap on medical records copying fees is now the only barrier protecting Maryland patients from “health information management” companies charging thousands of dollars for access to electronic copies of electronic medical records.

Following discussions between the Office of the Attorney General and the sponsor of HB 849, the Maryland Association for Justice understands that the sponsor intends to amend HB 849 to preserve the cap on medical records access fees. If § 4-304 must be amended, the cap on fees charged for access to medical records must be preserved.

The Maryland Association for Justice respectfully requests that HB 849 be reported FAVORABLY WITH AMENDMENTS.

HB 849 - Public Health Medical Records - Fees- Supp

Uploaded by: Witten, Jennifer

Position: FWA



Maryland
Hospital Association

House Bill 849 - Public Health Medical Records - Fees

Position: *Support as Amended in the House*

March 24, 2021

Senate Finance Committee

MHA Position

On behalf of the Maryland Hospital Association's (MHA) 60 member hospitals and health systems, we appreciate the opportunity to comment in support of House Bill 849. Maryland hospitals fully support giving medical records to patients upon request so they can make informed decisions about their health care and apply for needed benefits to access care. Most acute care hospitals have online portals so patients can access their own records at no cost. Yet, there are times when a representative helping a patient access benefits through the Social Security Act need copies of the patient's records upon their consent.

We worked with the bill sponsor and proponents to agree to amendments to clarify that the bill was not intended to modify fees for copying records, as codified by legislation in 2016, but to clarify that under certain provisions within the federal Social Security Act, fees associated with preparing and copying records are waived for certain individuals and their representative. Medical records are required to support a claim for Supplemental Security Income or Social Security Disability Income for individuals seeking benefits.

A provider or its representative shall not charge a fee for copies of medical records requested by a patient, a patient's personal representative, or an employee of a nonprofit legal services entity or other volunteer based program representing the patient if the request for copies of medical records is for the purpose of claiming or appealing a denial of Social Security disability income or Social Security disability benefits under title II or title XVI of the Social Security Act.

We ask for a favorable report on the bill by Finance Committee as adopted by the House. There is no Senate cross-file.

For more information, please contact:
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Position: INFO



Board of Physicians

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Damean W.E. Freas, D.O., Chair

2021 SESSION POSITION PAPER

BILL NO: HB 849
COMMITTEE: Senate Finance
POSITION: Information

TITLE: Public Health - Medical Records - Fees

BILL ANALYSIS: HB 849 has been amended by the Sponsor to add only a single, new provision to the Medical Records Act. The provision would prohibit fees for copies of medical records to support a claim or appeal relating to Social Security benefits or state needs-based benefits (See page 3, lines 17-20).

POSITION AND RATIONALE: The Maryland Board of Physicians (the “Board”) is submitting this letter of information based on the lack of clarity related to the fee charged for requested medical records, including who or what entity adjusts the price. The Board has no issues with the bill as amended, however the statutory language is confusing and this bill provides an opportunity to provide more clarity for patients. Additionally, it is not clear how a provider will determine that a medical record request is related to a Social Security claim.

As the governmental entity that disciplines physicians, the Board receives approximately 200 inquiries and complaints annually related to medical record disputes, including the fees charged. Approximately 50 of the 200 inquiries become complaints that result in an investigation, other inquiries are referred to the Office of the Attorney General Health Advocacy and Education Unit for assistance.

The Board supports clarification of the fee language in HB 849 in order to provide clearer guidance for both patients and providers, and to reduce misunderstandings that lead to complaints.

For more information, please contact Wynnee Hawk, Manager, Policy and Legislation, Maryland Board of Physicians, 410-764-3786.

The opinion of the Board expressed in this document does not necessarily reflect that of the Maryland Department of Health or the Administration.