

MedChi

The Maryland State Medical Society

1211 Cathedral Street
Baltimore, MD 21201-5516
410.539.0872
Fax: 410.547.0915

1.800.492.1056

www.medchi.org

TO: The Honorable Pamela Beidle, Chair
Members, Senate Finance Committee
The Honorable Shelly Hettleman

FROM: J. Steven Wise
Pamela Metz Kasemeyer
Danna L. Kauffman
Andrew G. Vetter
Christine K. Krone

DATE: January 31, 2024

RE: **SUPPORT WITH AMENDMENT** – Senate Bill 144 – *Medical Records – Fees – Attorneys Representing Patients*

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, **supports with amendment** Senate Bill 144.

Senate Bill 144 adds attorneys representing a patient to the list of those individuals who cannot be charged a fee by a health care provider when obtaining copies of a patient's medical records, if the purpose is to file a disability income or Social Security claim.

MedChi worked with the House sponsor on the existing statute when it was adopted in 2021 and does not object to the addition of attorneys. In fact, it could be argued that a patient's attorney is covered by the term "patient's personal representative," which is already found in the statute. Nonetheless, this clarification is not objectionable.

The issue MedChi would like to address through its amendment is limiting the number of times that a patient or their representative can obtain a free medical record related to the same claim. During our review of this bill, physicians stated that patients sometimes request the same record multiple times for the same claim, either because the records were lost or not initially submitted toward the claim as planned. Each time the records are requested, staff at the physician's practice must collect the needed records and assemble either an electronic or hard copy for the

patient. While shorter records are more easily compiled, records that reflect years of care are time-consuming and take staff time away from other important tasks in already overwhelmed medical practices.

Accordingly, MedChi asks that an amendment be adopted limiting the number of times that a record can be obtained free of charge to once per claim. Language to that effect is below.

For these reasons, MedChi supports Senate Bill 144 with amendment.

Amendment No. 1

On Page 2, at line 3, insert: “EXCEPT AS PROVIDED IN _____”

Amendment No. 2

On Page 2, after line 13, insert: “A HEALTH CARE PROVIDER OR REPRESENTATIVE OF A HEALTH CARE PROVIDER MAY CHARGE A FEE FOR PROVIDING A SECOND OR SUBSEQUENT COPY OF A MEDICAL RECORD RELATED TO THE SAME CLAIM OR APPEAL.”

For more information call:

J. Steven Wise
Pamela Metz Kasemeyer
Danna L. Kauffman
Andrew G. Vetter
Christine K. Krone
410-244-7000