

HEALTH CARE FOR THE HOMELESS TESTIMONY
IN SUPPORT OF
SB 144 - Medical Records - Fees - Attorneys Representing Patients

Senate Finance Committee
January 31, 2024



Health Care for the Homeless supports SB 144, which would add an attorney representing a patient to the list of individuals to whom a health care provider is prohibited from charging a fee for providing copies of a medical record that will be used for the purpose of filing a claim regarding or appealing a denial of Social Security disability income or Social Security benefits.

Health Care for the Homeless strongly supported HB 849 in the 2021 Legislative Session, which originally set the maximum fee that can be charged for a copy of a medical record and repeal the ability of a health care provider to charge a separate preparation fee. The Social Security benefits process can be a complicated one, and oftentimes clients will seek attorneys to help them navigate this process. Adding attorneys to the list of entities to enable them to more easily obtain medical records in these cases is a natural extension of the current law.

For nearly 40 years Health Care for the Homeless has supported thousands of adults and families experiencing homelessness in the Baltimore metropolitan area. As part of our full, integrated medical and behavioral health care, we have a team of staff assisting clients with their applications for Supplemental Security Income (SSI)/Social Security Disability Insurance (SSDI). Through our [SSI/SSDI Outreach, Access, and Recovery \(SOAR\) program](#), our Disability Assistance Outreach Specialists assist between 100 and 200 clients every year. Our clients are among the most vulnerable, those experiencing homelessness or living in unstable housing. For our clients, and particularly those experiencing substance use disorder, SSI/SSDI benefits not only support their economic health but their physical and mental health as well.

Our SOAR Coordinator, along with a statewide group of SOAR and disability advocates, previously identified the charging of medical records fees as a barrier for clients accessing their benefits across the state. Health Care for the Homeless never charges for medical records as part of our clients' SSI/SSDI applications. However, it came to our attention that other providers do not offer the same service free of charge to SSI/SSDI applicants.

These fees can be prohibitively costly, as medical records in order to make an SSI/SSDI claim can be dozens, sometimes hundreds, of pages. Particularly with individuals in need of SSI/SSDI benefits, the fees for medical records necessary to make the appropriate case to Social Security can be the difference between whether an individual can afford to complete their SSI/SSDI application. To be clear, extensive medical records are necessary as part of an individual's application for SSI/SSDI.¹

By eliminating fees for medical records for people applying for public benefits for attorneys representing clients in these cases, SB 144 will ensure that low-income Marylanders can access the medical records they need in order to obtain critical public benefits. For the aforementioned reasons, Health Care for the Homeless strongly urges a favorable report on this bill.

Health Care for the Homeless is Maryland's leading provider of integrated health services and supportive housing for individuals and families experiencing homelessness. We deliver medical care, mental health services, state-certified addiction treatment, dental care, social services, housing support services, and housing for over 10,000 Marylanders annually at sites in Baltimore City and Baltimore County.

Our Vision: Everyone is healthy and has a safe home in a just and respectful community.

Our Mission: We work to end homelessness through racially equitable health care, housing and advocacy in partnership with those of us who have experienced it.

For more information, visit www.hchmd.org.

¹ Social Security Administration (SSA) must obtain all necessary information and evidence to determine an individual's eligibility and payment amount. See Social Security Act, § 1631; 20 CFR § 416.200 and 203.