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Health and Government Operations
Committee
Chair
Health Occupations and
Long-Term Care Subcommittee

House Chair
Joint Committee on Administrative,
Executive, and Legislative Review



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Testimony of Delegate Samuel Rosenberg
Before the House Health and Government Operations Committee
In Support of

House Bill 153

Medical Records - Fees - Attorneys Representing Patients

Mrs. Chairman and Members of the Committee:

In 2021 we passed HB 849, which prohibited healthcare providers from charging fees associated with the procurement of medical records for anyone filing a claim for or appealing the decision of Social Security Disability income or Social Security Benefits.

The Social Security Administration requires individuals who are applying for disability income or benefits to submit "objective medical evidence" from an "acceptable medical source" to determine eligibility. Disabled individuals often find it difficult to secure the funds needed for acquiring these necessary medical records, and HB 849 lowered these barriers.

However, there are still many hurdles that limit disabled individuals' accessibility to public benefits. As you will hear from other witnesses today, the fees that a legal representative incurs directly translate into the fees that their client has to pay. Furthermore, when a client, such as someone who is applying for Social Security Disability or Benefits, is unable to support these costs, it often discourages lawyers from representing those clients in the first place.

To solve this issue, HB 153 simply proposes amending HB 849 to add lawyers to the list of individuals who may obtain medical records from health care providers without any cost. This ensures that the goal of HB 849 is fully achieved.

Our constituents have the right to receive the benefits from programs that this country has designed for them. They, or those who represent them, should not experience any financial obstacles in applying for these programs.

For all of these reasons, I request a FAVORABLE report for HB 153.

February 7, 2024