
OLR Bill Analysis

sSB 958

AN ACT CONCERNING THE TIMELY TRANSFER OF MEDICAL RECORDS BETWEEN HEALTH CARE INSTITUTIONS AND THE FEE CHARGED FOR COPIES OF MEDICAL RECORDS.

SUMMARY

This bill sets deadlines for licensed health care institutions to transfer patient medical records to another institution upon receiving a patient-approved medical records request. Under the bill, the transfer must occur (1) immediately, for urgent requests, or (2) within two business days, for non-urgent requests.

The bill also sets new limits on health record fees charged by individual health care providers. Under current law, a provider can charge up to 65 cents per page, including any applicable research or handling fees, related costs, and first-class postage to supply a patient's health record. The bill instead sets the limit as the lesser of (1) 65 cents per page or (2) any patient rate amount or reasonable cost-based fee under federal or state law, state regulation, or related administrative guidance. The bill's limit specifically applies to not just providers, but to any other party that has or controls a patient's medical records.

As under existing law, these provisions apply to medical records requests by patients themselves or by their attorneys or authorized representatives. The bill specifies that the fee limit applies regardless of whether the patient rate amount or cost-based fee applies to requests by a patient's attorney or authorized representative.

Under existing law, unchanged by the bill, a provider:

1. can also charge a patient the amount necessary to cover the cost of material for providing a copy of an x-ray and

2. cannot impose fees for providing health records if the patient needs the records for a Social Security or veterans' benefits claim or appeal.

A separate law, unchanged by the bill, sets a limit of 65 cents per page (including fees, costs, and postage) for medical records requests to licensed health care institutions (CGS § 19a-490b).

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 35 Nay 0 (03/03/2023)