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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO HEALTH AND SAFETY - DEPARTMENT OF HEALTH

Introduced By: Senators McCaffrey, Lynch, Walaska, Ciccone, and Lombardi

Date Introduced: March 03, 2015

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-1-48 of the General Laws in Chapter 23-1 entitled "Department
2 of Health" is hereby amended to read as follows:

3 **23-1-48. Reimbursement for medical record copies.** – (a) The director shall
4 promulgate rules and regulations which establish reasonable charges for expenses incurred in
5 responding to requests for copies of medical records by physicians pursuant to § 5-37-22(c) and
6 (d), and any health care provider as defined in § 5-37.3-3(4). The director may utilize data
7 provided by the Rhode Island health information management association or other similar local
8 professional organization in his or her determination as to the amount of the charges permitted by
9 this section.

10 (b) If the health care provider defined in § 5-37.3-3(4) utilizes an electronic health
11 records system or database:

12 (i) The individual shall have a right to obtain from such health care provider a copy of the
13 records in an electronic format; and

14 (ii) The reasonable charges for responding to requests for copies of medical records in
15 electronic format shall not exceed a fee for clerical services of fifteen dollars (\$15.00) regardless
16 of the amount of time necessary to retrieve the record, shipping costs and the reasonable costs of
17 the data storage device used to transport the medical records.

18 (c) If the health care provider as defined by § 5-37.3-3(4), does not utilize an electronic
19 health records system or database, the reasonable charges for responding to requests for copies of

1 medical records shall not exceed a fee for clerical services of fifteen dollars (\$15.00) regardless of
2 the amount of time necessary to retrieve the record, shipping costs and ten cents (\$.10) per page
3 for all pages of medical records provided.

4 (d) Copies of X-rays or other documents not reproducible by photocopy shall be at the
5 health care provider's actual cost, plus reasonable fees for clerical service not to exceed fifteen
6 dollars (\$15.00).

7 (e) A special handling fee of ten dollars (\$10.00) may be charged if the records must be
8 delivered to the patient or authorized representative within forty-eight (48) hours of the request.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO HEALTH AND SAFETY - DEPARTMENT OF HEALTH

1 This act would determine reimbursement rates for medical records copies from health
2 care providers that utilize an electronic health records system, as well as those that do not utilize
3 electronic systems.

4 This act would take effect upon passage.

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