

By: Compretta

To: Public Health and
Welfare

HOUSE BILL NO. 619

1 AN ACT TO PROVIDE FOR THE RELEASE OF MEDICAL RECORDS AND
2 PAYMENT FOR THE ACTUAL COST OF THIS SERVICE; TO AMEND SECTION
3 41-9-77, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS
4 OF THIS ACT; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. No physician, hospital, or any other health care
7 provider may charge more than the actual cost of reproducing
8 medical records and other medical information and the cost of
9 forwarding the information to the recipient. A physician,
10 hospital, or any other health care provider may charge reasonable
11 fees for additional duties such as interpreting medical records,
12 providing a synopsis of medical records or any other service not
13 related to reproduction and forwarding.

14 SECTION 2. Section 41-9-77, Mississippi Code of 1972, is
15 amended as follows:[LH1]

16 41-9-77. Any hospital may, in its discretion, cause any
17 hospital record or part thereof to be reproduced on film or in any
18 other acceptable form of medium, as determined by the licensing
19 agency, which shall include, but not be limited to, microfilming,
20 photographing, photostating or storage on optical disks. After
21 the records have been reproduced, the hospital may retire the
22 original documents so reproduced. Any such reproduction or copy

23 of an original hospital record or part thereof shall be deemed to
24 be the original hospital record or part thereof for all purposes,
25 shall be subject to retention and retirement as provided in
26 Sections 41-9-69 through 41-9-73, and shall be admissible as
27 evidence in all courts or administrative agencies to the same
28 extent as the original would be or would have been admissible. A
29 facsimile, exemplification or copy of such reproduction or copy
30 shall be deemed to be a transcript, exemplification or copy of the
31 original hospital record or part thereof. However, no state
32 hospital shall undertake such reproduction or destruction of
33 records except as provided in Section 25-59-1 et seq. No other
34 public hospital shall undertake such reproduction unless the
35 expense thereof has been provided for in the annual budget, or an
36 amendment thereof, approved for such public hospital. Any records
37 reproduced upon release and authorization by a patient shall be
38 paid for as provided in Section 1 of this act.

39 SECTION 2. This act shall take effect and be in force from
40 and after July 1, 2000.