

By: Representative Upshaw

To: Public Health and Human Services

HOUSE BILL NO. 1235
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 11-1-52, MISSISSIPPI CODE OF 1972, TO
2 LIMIT THE AMOUNT MEDICAL PROVIDERS CAN CHARGE FOR A MEDICAL RECORD
3 AFFIDAVIT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 11-1-52, Mississippi Code of 1972, is
6 amended as follows:

7 11-1-52. (1) Any medical provider or hospital or nursing
8 home or other medical facility shall charge no more than the
9 following amounts to patients or their representatives for
10 photocopying any patient's records: Twenty Dollars (\$20.00) for
11 pages one (1) through twenty (20); One Dollar (\$1.00) per page for
12 the next eighty (80) pages; Fifty Cents (50¢) per page for all
13 pages thereafter. Ten percent (10%) of the total charge may be
14 added for postage and handling. Fifteen Dollars (\$15.00) may be
15 recovered by the medical provider or hospital or nursing home or
16 other medical facility for retrieving medical records in archives
17 at a location off the premises where the facility/office is
18 located.

19 (2) A physician shall only charge normal, reasonable and
20 customary charges for a deposition related to a patient that the
21 physician is treating or has treated.

22 (3) Any medical provider, hospital, nursing home or other
23 medical facility shall charge no more than Twenty-five Dollars
24 (\$25.00) for executing a medical record affidavit, when the
25 affidavit is requested by the patient or the patient's
26 representative.

27 (4) In charging the fees authorized under subsection (1) of
28 this section, the medical provider, hospital, nursing home or
29 other medical facility shall comply with the federal Health
30 Insurance Portability and Accountability Act (HIPAA).

31 **SECTION 2.** This act shall take effect and be in force from
32 and after its passage.