MISSISSIPPI LEGISLATURE

To: Public Health and Human Services

By: Representatives Hines, Broomfield, Buck, Clark, Holloway, Mayo, Robinson (63rd), Watson

HOUSE BILL NO. 757

AN ACT TO PROVIDE THAT WHEN A PERSON IS SEEKING DISABILITY BENEFITS, THE HEALTH CARE PROVIDERS WHO EXAMINE THE PERSON TO DETERMINE THE PERSON’S ELIGIBILITY FOR THE BENEFITS BEING SOUGHT SHALL PROVIDE THE PERSON WITH COPIES OF THEIR MEDICAL RECORDS AT NO CHARGE UNTIL AFTER THE FINAL DETERMINATION OF DISABILITY HAS BEEN MADE; TO PROVIDE THAT AFTER THE FINAL DETERMINATION OF DISABILITY, THE HEALTH CARE PROVIDERS WHO PROVIDED COPIES OF MEDICAL RECORDS TO THE PERSON MAY CHARGE THE PERSON FOR THE COST OF PROVIDING THOSE MEDICAL RECORDS, AT RATES NOT EXCEEDING CERTAIN STATUTORY AMOUNTS; AND FOR RELATED PURPOSES.

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

SECTION 1. When a person is seeking to obtain disability benefits under an insurance policy, a public assistance program or a public or private retirement system or plan, the physicians and other health care providers who examine the person to determine the person's disability status and eligibility for the disability benefits being sought shall provide the person with copies of their medical records at no charge until after the final determination of disability has been made. After the final determination of disability, regardless of the outcome of the determination, the physicians and other health care providers who provided copies of medical records to the person may charge the person for the cost of providing those medical records, at rates not exceeding the amounts specified under Section 11-1-52.

SECTION 2. This act shall take effect and be in force from and after July 1, 2007.