

By: Senator(s) White

To: Judiciary, Division A

SENATE BILL NO. 2870

1 AN ACT TO AMEND SECTION 11-1-52, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE LIMITATIONS ON CHARGES PERMITTED FOR PHOTOCOPYING
3 PATIENT RECORDS AND CLARIFY THE LIMITATIONS ON CHARGES FOR
4 DEPOSITIONS AND AFFIDAVITS; AND FOR RELATED PURPOSES.

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

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

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

20 (2) A physician shall only charge normal, reasonable and
21 customary charges for a deposition related to a patient that the
22 physician is treating or has treated: no more than Three Hundred
23 Fifty Dollars (\$350.00) for the first hour, and One Hundred
24 Dollars (\$100.00) for each quarter-hour or portion thereof
25 thereafter; for depositions upon written questions, no more than
26 Fifty Dollars (\$50.00).

27 (3) Any medical provider, hospital, nursing home or other
28 medical facility, pharmacist or pharmacy shall charge no more than

29 Twenty-five Dollars (\$25.00) for executing a medical record
30 affidavit, when the affidavit is requested by the patient or the
31 patient's representative.

32 (4) In charging the fees authorized under subsection (1) of
33 this section, the medical provider, hospital, nursing home or
34 other medical facility, pharmacist or pharmacy shall comply with
35 the federal Health Insurance Portability and Accountability Act
36 (HIPAA).

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