

By: Representatives Reed, Akins, Bondurant,
Currie, Huddleston (15th), Scott, Clark

To: Public Health and Human
Services

HOUSE BILL NO. 578

1 AN ACT TO AMEND SECTION 41-9-77, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE HOSPITALS TO REPRODUCE THEIR RECORDS IN ANY FORM OF
3 ELECTRONIC OR DIGITAL MEDIA; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 41-9-77, Mississippi Code of 1972, is
6 amended as follows:

7 41-9-77. Any hospital may, in its discretion, cause any
8 hospital record or part thereof to be reproduced on film or in any
9 other acceptable form of medium, as determined by the licensing
10 agency, which shall include, but not be limited to, microfilming,
11 photographing, photostating, storage on optical disks, or any
12 other form of electronic or digital media. After the records have
13 been reproduced, the hospital may retire the original documents so
14 reproduced. Any such reproduction or copy of an original hospital
15 record or part thereof shall be deemed to be the original hospital
16 record or part thereof for all purposes, shall be subject to
17 retention and retirement as provided in Sections 41-9-69 through
18 41-9-73, and shall be admissible as evidence in all courts or
19 administrative agencies to the same extent as the original would
20 be or would have been admissible. A facsimile, exemplification or
21 copy of the reproduction or copy shall be deemed to be a
22 transcript, exemplification or copy of the original hospital
23 record or part thereof. However, no state hospital shall
24 undertake that reproduction or destruction of records except as
25 provided in Section 25-59-1 et seq. No other public hospital
26 shall undertake that reproduction unless the expense for it has



27 been provided for in the annual budget, or an amendment to the
28 budget, approved for that public hospital.

29 **SECTION 2.** This act shall take effect and be in force from
30 and after July 1, 2009.

