

By: Senator(s) Tollison

To: Public Health and Welfare

SENATE BILL NO. 2618

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.

