

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

To: Public Health and Human
Services

HOUSE BILL NO. 757

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

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

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

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