

By: Representative Creekmore IV

To: Public Health and Human Services

HOUSE BILL NO. 1329

1 AN ACT TO CREATE NEW SECTION 73-25-41, MISSISSIPPI CODE OF  
 2 1972, TO REQUIRE PHYSICIANS TO RETAIN MEDICAL RECORDS IN THE  
 3 ORIGINAL, MICROFILMED, OR SIMILARLY REPRODUCED FORM FOR A MINIMUM  
 4 PERIOD OF SIX YEARS FROM THE DATE A PATIENT IS LAST TREATED BY THE  
 5 PHYSICIAN; TO PROVIDE THAT GRAPHIC MATTER, IMAGES, X-RAY FILMS,  
 6 AND LIKE MATTER THAT WERE NECESSARY TO PRODUCE A DIAGNOSTIC OR  
 7 THERAPEUTIC REPORT SHALL BE RETAINED, PRESERVED AND PROPERLY  
 8 STORED BY A PHYSICIAN IN THE ORIGINAL, MICROFILMED OR SIMILARLY  
 9 REPRODUCED FORM FOR A MINIMUM PERIOD OF THREE YEARS FROM THE DATE  
 10 A PATIENT IS LAST TREATED BY THE PHYSICIAN; AND FOR RELATED  
 11 PURPOSES.

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

13 **SECTION 1.** The following shall be codified as Section  
 14 73-25-41, Mississippi Code of 1972:

15 73-25-41. (1) Medical records shall be retained by a  
 16 physician in the original, microfilmed, or similarly reproduced  
 17 form for a minimum period of six (6) years from the date a patient  
 18 is last treated by the physician.

19 (2) Graphic matter, images, X-ray films, and like matter  
 20 that were necessary to produce a diagnostic or therapeutic report  
 21 shall be retained, preserved and properly stored by a physician in  
 22 the original, microfilmed or similarly reproduced form for a



23 minimum period of three (3) years from the date a patient is last  
24 treated by the physician. Such graphic matter, images, X-ray  
25 film, and like matter shall be retained for a longer period when  
26 requested in writing by the patient.

27         **SECTION 2.** This act shall take effect and be in force from  
28 and after July 1, 2024.

