

Senate Bill 30

By: Senators Ray of the 48th, Kemp of the 3rd and Tanksley of the 32nd

AS PASSED

AN ACT

To amend Chapter 33 of Title 31 of the Official Code of Georgia Annotated, relating to health records, so as to require a health record to be furnished within a reasonable time frame; to change provisions relating to furnishing copies of a record; to change provisions relating to costs of copies; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 33 of the Official Code of Georgia Annotated, relating to health records, is amended by striking subsection (b) of Code Section 31-33-2, relating to furnishing a copy of records to a patient or provider, and inserting a new subsection (b) to read as follows:

"(b) Any record requested under subsection (a) of this Code section shall be furnished within a reasonable period of time to the patient, any other provider designated by the patient, or any other person designated by the patient."

SECTION 2.

Said chapter is further amended by striking Code Section 31-33-3, relating to costs of copying and mailing health records, in its entirety and inserting in lieu thereof the following:

"31-33-3.

(a) The party requesting the patient's records shall be responsible to the provider for the costs of copying and mailing the patient's record. A charge of up to \$20.00 may be collected for search, retrieval, and other direct administrative costs related to compliance with the request under this chapter. A fee for certifying the medical records may also be charged not to exceed \$7.50 for each record certified. The actual cost of postage incurred in mailing the requested records may also be charged. In addition, copying costs for a record which is in paper form shall not exceed \$.75 per page for the first 20 pages of the patient's records which are copied; \$.65 per page for pages 21 through 100; and \$.50 for each page copied in excess of 100 pages. All of the fees allowed by this Code section may

be adjusted annually in accordance with the medical component of the consumer price index. The Office of Planning and Budget shall be responsible for calculating this annual adjustment, which will become effective on July 1 of each year. To the extent the request for medical records includes portions of records which are not in paper form, including but not limited to radiology films, models, or fetal monitoring strips, the provider shall be entitled to recover the full reasonable cost of such reproduction. Payment of such costs may be required by the provider prior to the records being furnished. This subsection shall not apply to records requested in order to make or complete an application for a disability benefits program.

(b) The rights granted to a patient or other person under this chapter are in addition to any other rights such patient or person may have relating to access to a patient's records; however, nothing in this chapter shall be construed as granting to a patient or person any right of ownership in the records, as such records are owned by and are the property of the provider."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.