

House Bill 810

By: Representatives Frye of the 118th, Quick of the 117th, Mabra of the 63rd, Gravley of the 67th, Williams of the 119th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 33 of Title 31 of the Official Code of Georgia Annotated, relating to
2 health records, so as to revise provisions regarding imposition of costs for providing copies
3 of health records; to provide for related matters; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 33 of Title 31 of the Official Code of Georgia Annotated, relating to health records,
8 is amended in Code Section 31-33-3, relating to costs of copying and mailing health records,
9 by revising subsection (a) as follows:

10 "(a) The party requesting the patient's records shall be responsible to the provider for the
11 costs of copying and mailing the patient's record; provided, however, that the provider shall
12 not be permitted to charge any fees for a request which includes only the patient's medical
13 bill or billing statement with that provider. A charge of up to \$20.00 may be collected for
14 search, retrieval, and other direct administrative costs related to compliance with the
15 request under this chapter. A fee for certifying the medical records may also be charged
16 not to exceed \$7.50 for each record certified. The actual cost of postage incurred in
17 mailing the requested records may also be charged. In addition, copying costs for a record
18 which is in paper form shall not exceed \$.75 per page for the first 20 pages of the patient's
19 records which are copied; \$.65 per page for pages 21 through 100; and \$.50 for each page
20 copied in excess of 100 pages. All of the fees allowed by this Code section may be
21 adjusted annually in accordance with the medical component of the consumer price index.
22 The Office of Planning and Budget shall be responsible for calculating this annual
23 adjustment, which will become effective on July 1 of each year. To the extent the request
24 for medical records includes portions of records which are not in paper form, including but
25 not limited to radiology films, models, or fetal monitoring strips, the provider shall be

26 entitled to recover the full reasonable cost of such reproduction. Payment of such costs
27 may be required by the provider prior to the records being furnished. This subsection shall
28 not apply to records requested in order to make or complete an application for a disability
29 benefits program."

30 **SECTION 2.**

31 Said chapter is further amended in Code Section 31-33-8, relating to electronic records, by
32 revising subsection (f) as follows:

33 "(f) Except as provided otherwise under federal law, upon receiving a request for a copy
34 of a record from a patient or an authorized person under Code Section 31-33-3, a provider
35 shall provide copies of the record in either tangible or electronically stored form; provided,
36 however, that if a record is provided via electronic mail, no copying costs shall be imposed
37 pursuant to Code Section 31-33-3 on the party requesting the record."

38 **SECTION 3.**

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