

HOUSE BILL 647

By Baum

AN ACT to amend Tennessee Code Annotated, Title 47,
Chapter 18 and Section 63-2-102, relative to
medical records.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-2-102, is amended by deleting subsection (a) and substituting:

(a)

(1) The party requesting the patient's records is responsible to the provider for the reasonable costs of copying and mailing the patient's records.

(2)

(A) For other than records involving workers' compensation cases, the reasonable costs must not exceed the cost of the following, as described in 45 CFR § 164.524(c)(4):

(i) Labor for copying the protected health information requested by the individual;

(ii) Supplies for creating the paper copy, or electronic media, if the individual requests that the electronic copy be provided on portable media; and

(iii) Postage, when the individual has requested the copy, or the summary or explanation, be mailed.

(B) The total charges must not exceed twenty-five dollars (\$25.00).

(3) A third-party provider of record copying and related services is subject to the reasonable cost limits contained in this section and shall not impose a charge or fee for such services in excess of the cost limits. The costs charged for reproducing records of patients involved in a workers' compensation claim shall be as defined in § 50-6-204. A healthcare provider shall not charge a fee for copying or notarizing a medical record when requested by the department pursuant to a complaint, inspection, or survey as set forth in § 63-1-117.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.