

SENATE BILL 1393

By Reeves

AN ACT to amend Tennessee Code Annotated, Title 63,
Chapter 2 and Title 68, Chapter 11, relative to
medical records.

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

SECTION 1. Tennessee Code Annotated, Section 68-11-304(a)(2)(B), is amended by adding the following as a new subdivision:

(iii) In social security disability cases for a non-indigent individual, if a patient, a patient's legal representative, or person authorized by the patient requests copies of the patient's hospital records under this section for use in appealing a denial of social security disability insurance, under 42 U.S.C. §§ 401-433, or supplemental security income, under 42 U.S.C. §§ 1381-1385, then the hospital may charge the patient, the patient's legal representative, or person authorized by the patient the reimbursement amount that disability determination services reimburses the hospital for copies of hospital records pursuant to federal social security administration medical record payment rates. However, a hospital shall not charge a search fee if no records are located in response to the request.

SECTION 2. Tennessee Code Annotated, Section 63-2-102(a), is amended by deleting the language "For other than records involving workers' compensation cases" and substituting "For records other than those involving workers' compensation cases or social security disability and supplemental security income cases".

SECTION 3. Tennessee Code Annotated, Section 63-2-102, is amended by adding the following as a new subsection:

(g) In social security disability and supplemental security income cases, if a patient, a patient's legal representative, or person authorized by the patient requests copies of the patient's records under this section for use in appealing a denial of social security disability insurance, under 42 U.S.C. §§ 401-433, or supplemental security income, under 42 U.S.C. §§ 1381-1385, then the provider may charge the patient, the patient's legal representative, or person authorized by the patient the reimbursement amount that disability determination services reimburses the provider for copies of such records pursuant to federal social security administration medical record payment rates. However, a provider shall not charge a search fee if no records are located in response to the request.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.