

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1234

Introduced by

Representative DeKrey

1 A BILL for an Act to amend and reenact section 23-12-14 of the North Dakota Century Code,
2 relating to consent to release of medical records.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 23-12-14 of the 1999 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **23-12-14. Copies of medical records.**

- 7 1. As used in this section, "medical provider" means a licensed individual or licensed
8 facility providing health care services. This section applies to every medical
9 provider unless expressly provided otherwise by law. Upon the written request of
10 a medical provider's patient or any person authorized by a patient, the medical
11 provider shall:
- 12 a. Provide a free copy of a patient's medical records to a medical provider
13 designated by the patient or the person authorized by the patient if the
14 records are requested for the purpose of transferring that patient's medical
15 care to another medical provider for the continuation of medical treatment.
- 16 b. Provide a copy of a patient's medical records requested for any purpose other
17 than the continuation of care for a maximum charge of twenty dollars for the
18 first twenty-five pages and seventy-five cents per page for every page beyond
19 twenty-five. This charge includes any administrative fee, retrieval fee, and
20 postage expense.
- 21 2. A Except as specified in section 26.1-36-12.4, a written medical records release
22 must be for a specific stated time, but not to exceed three years or until revoked in
23 writing by the patient. A written medical records release does not expire after
24 three years, however, if a patient or the patient's authorized representative

- 1 expressly gives consent to release of medical records to a medical provider being
- 2 advised or consulted concerning the current treatment of the patient.