

HOUSE BILL NO. 1233

Introduced by

Representatives DeKrey, Weisz

Senators Fischer, D. Mathern

1 A BILL for an Act to amend and reenact section 23-12-14 of the North Dakota Century Code,
2 relating to copies 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 a
10 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:

13 (1) Any person designated by the patient or the person authorized by the
14 patient, if the records are requested for the purpose of claims review
15 and processing; or

16 (2) A medical provider designated by the patient or the person authorized
17 by the patient, if the records are requested for the purpose of
18 transferring that patient's medical care to another medical provider for
19 the continuation of medical treatment.

20 b. Provide a copy of a patient's medical records requested for any purpose other
21 than claims review and processing or the continuation of care for a maximum
22 charge of twenty dollars for the first twenty-five pages and seventy-five cents
23 per page for every page beyond twenty-five. This charge includes any
24 administrative fee, retrieval fee, and postage expense.

- 1 2. A Except as specified in section 26.1-36-12.4, a written medical records release
- 2 must be for a specific stated time, but not to exceed three years or until revoked in
- 3 writing by the patient.