

Fifty-seventh  
Legislative Assembly  
of North Dakota

## ENGROSSED 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  
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:

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 unless there is a contractual agreement between the  
16 provider and the insurer concerning payment for medical records; or

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

21 b. Provide a copy of a patient's medical records requested for any purpose other  
22 than claims review and processing or the continuation of care for a maximum  
23 charge of twenty dollars for the first twenty-five pages and seventy-five cents

1 per page for every page beyond twenty-five. This charge includes any  
2 administrative fee, retrieval fee, and postage expense.

3 2. A Except as specified in section 26.1-36-12.4 and this subsection, a written  
4 medical records release must be for a specific stated time, but not to exceed three  
5 years or until revoked in writing by the patient. A written medical records release  
6 providing consent to release medical records to a medical provider being advised  
7 or consulted concerning the current treatment of the patient does not expire after  
8 three years if the patient or the patient's authorized representative expressly  
9 authorizes the consent to exceed three years.