

SENATE BILL 2959

By Watson

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 2, Part 1, relative to charges for copying and certifying 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) in its entirety and by substituting the following as new subsections (a), (b) and (c), and by redesignating all existing subsequent subsections accordingly:

(a) The party requesting the patient's records is responsible to the provider for the reasonable costs of copying and mailing such patient's records. For other than records involving workers' compensation cases, such reasonable costs shall not exceed twenty dollars (\$20.00) for medical records five (5) pages or less in length and fifty cents (50¢) per page for each page copied after the first five (5) pages and the actual cost of mailing. Any third-party provider of record copying and related services shall be subject to the reasonable cost limits contained in this section and shall not impose any charge or fee for such services in excess of such cost limits. The costs charged for reproducing records of patients involved in a workers' compensation claim shall be as defined in § 50-6-204.

(b) If the requested records are provided in a digital format and the requesting party requests delivery of the records via electronic mail, a processing fee may be charged not to exceed fifty dollars (\$50.00). If the requested records are provided on a digital or other electronic medium and mailed or shipped to the requesting party, the actual costs of the digital or electronic medium and the costs of mailing or shipping the records may also be charged in addition to the processing fee.

(c) A fee for certifying medical records requiring notarization may also be charged not to exceed twenty dollars (\$20.00) for each record sent certified.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.