

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/26/99

Received By: kenneda

Wanted: As time permits

Identical to LRB:

For: Senate Democratic Caucus 266-2257

By/Representing: Walter

This file may be shown to any legislator: NO

Drafter: kenneda

May Contact:

Alt. Drafters:

Subject: Health - miscellaneous

Extra Copies: TAY

Pre Topic:

SDC:.....Walter - #2792,

Topic:

Medical records charges to be limited to amounts set by DHFS by rule

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kenneda 06/27/99	wjackson 06/27/99		_____			
/1			ismith 06/28/99	_____	lrb_docadmin 06/28/99		

FE Sent For:

<END>

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/?	kenneda	1/ 6/27 WLJ	IS 6/28	JS/SH 6/8			

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<END>

yes

SDC

Agency: Miscellaneous Motions

caucus number 2792

duplicate flag:

duplicate with:

Other reference numbers:

LFB Sum #:

FM 1221

bill number/amendment number:

LRB draft #

LRB P-draft:

description: Adopt FM 1221 which limits charges associated with obtaining copies of medical records to amounts set by HFS rule.

other notes

drafting instructions: Adopt FM 1221.

more instructions:

Agency: **Miscellaneous Motions**

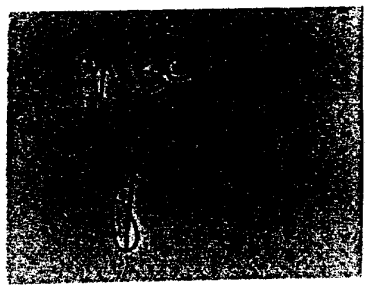
Number of Amendments: 1

+

~~Do Not Draft~~

2792

Adopt Freestanding Motion 1221, which limits charges associated with obtaining copies of medical records to amounts set by HFS rule.



To: Deborah
Kennedy

Fr: Doug

Senator Decker

MISCELLANEOUS

Health Care Records

Motion:

Move to modify provisions relating to health care records as follows: (a) limit the amounts that a health care provider could charge for supplying certified duplicate patient health care records to a uniform fee amount prescribed by DHFS by rule; (b) require DHFS to specify by rule that health care providers may charge fees for actual postage and other delivery costs of health care records; (c) specify that the filing of an action may not be used as a requirement for the application of uniform fees; (d) authorize a patient or other person to receive a copy of the patient's health care records, whether certified or not, upon submittal of a statement of informed consent and payment of an approximation of actual costs; (e) define "approximation of actual costs" to mean no more than the fee amounts that are prescribed by DHFS by rule; and (f) limit the amount a provider may collect to 25% of the approximation of actual costs if the health care provider provides a copy of the patient health care record after 30 of receipt of a statement of informed consent.

Note:

Under current law, patients or other persons may receive a copy of the patient's health care record upon submitting a statement of informed consent for the release and upon payment of reasonable fees. DHFS prescribes by rule uniform fees that a health care provider can charge attorneys to obtain certified duplicate health care records that are subject to a subpoena.

See 99-1223/2

Motion #1221



SOON - In edit 6/27
State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1394/1
DAK...f:....
Wlj

SDC:.....Walter - #2792, Medical records charges to be limited to amounts set by DHFS by rule

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1158, line 11: after that line insert:

3 "SECTION 2252g. 146.83 (1) (b) of the statutes is amended to read:

4 146.83 (1) (b) Receive a copy of the patient's health care records, whether
5 certified or not, upon payment of reasonable an approximation of actual costs. In this
6 paragraph, "approximation of actual costs" means, at a maximum, the fees that are
7 prescribed by the department by rule under s. 908.03 (6m) (d).

8 SECTION 2252h. 146.83 (3m) of the statutes is created to read:

9 146.83 (3m) If a health care provider provides a copy of a patient health care
10 record after 30 days after receipt of a statement of informed consent for the release

1 of the copy, the health care provider, notwithstanding sub. (1) (b) and s. 908.03 (6m)
 2 (d), may collect as payment no more than 25% of the approximation of actual costs,
 3 as specified under sub. (1) (b).".

4 **2.** Page 1431, line 11: after that line insert:

5 "SECTION 3111. 908.03 (6m) (d) of the statutes is amended to read:

6 908.03 (6m) (d) *Fees.* The department of health and family services shall, by
 7 rule, prescribe uniform fees that are based on an approximation of the actual costs
 8 that are incurred by a health care provider in providing certified duplicate patient
 9 health care records. The fees are the maximum amount that a health care provider
 10 may charge ~~under par. (c) 3.~~ for certified duplicate patient health care records. The
 11 rule shall also ~~allow~~ specify that the health care provider ~~to~~ may charge fees for
 12 actual postage or other actual delivery costs. The commencement of an action is not
 13 a prerequisite for the application of this paragraph.".

14 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1394/1
DAK:wlj:ijs

SDC:.....Walter - #2792, Medical records charges to be limited to amounts set
by DHFS by rule

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14

(END)