

Fiscal Estimate Narratives

DHFS 6/23/2005

LRB Number	05-0653/1	Introduction Number	AB-465	Estimate Type	Original
Subject					
Require patient be informed if health care records are transferred and given option not to transfer					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, certain health care providers that cease to practice must provide for the maintenance of health care records in their possession by a person who agrees to abide by certain access and confidentiality provisions or must destroy the records. The health care provider must send written notice to individuals whose records are to be maintained or destroyed and must publish a notice in the newspaper.

This bill requires that health care providers who cease to practice and intend to transfer patient records to another provider must provide written notices of the transfer to patients and must publish a newspaper notice to that effect. The bill specifies the time limits for this procedure and allows patients to request their records from the provider. The requirements apply to health care providers including pharmacies, community-based residential facilities, hospitals, hospices, home health agencies, and local health departments. Violations of this provision are subject to fines.

This bill will not have a fiscal effect on the Department. This bill would have an effect on local public health departments only if they provided health care services and were ceasing to operate. It is not anticipated that any local public health departments will cease operation and this bill is not expected to have a fiscal effect on local governments.

Long-Range Fiscal Implications