



2013 ASSEMBLY BILL 759

February 12, 2014 – Introduced by Representatives TITTL, BALLWEG, BIES, BROOKS, GOYKE, HULSEY, KAUFERT, KLEEFISCH, KRUG, MURPHY and STRACHOTA, cosponsored by Senators GROTHMAN, L. TAYLOR, PETROWSKI, RISSER, LAZICH and LASSA. Referred to Committee on Judiciary.

1 **AN ACT** *to create* 146.83 (1b) of the statutes; **relating to:** accessing and
2 obtaining patient health records by public defenders.

Analysis by the Legislative Reference Bureau

Under current law, a patient or person authorized by the patient may, among other things, inspect the patient's health care records, obtain copies of the patient's health care records for a reduced fee if the patient is eligible for Medical Assistance, and obtain copies of the patient's health care records without paying a certification fee or a retrieval fee. This bill specifies that an attorney appointed by the State Public Defender to represent the patient is a person authorized by the patient for purposes of inspecting and obtaining copies of the patient's health care records if that attorney has the patient's written informed consent.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 146.83 (1b) of the statutes is created to read:
4 146.83 (1b) Notwithstanding s. 146.81 (5), in this section, a "person authorized
5 by the patient" includes an attorney appointed to represent the patient under s.

ASSEMBLY BILL 759

SECTION 1

1 977.08 if that attorney has written informed consent from the patient to view and
2 obtain copies of the records.

3 (END)