



## 1997 SENATE BILL 250

June 26, 1997 - Introduced by Senators DECKER and MOEN, cosponsored by Representatives KREUSER, ALBERS, ZIEGELBAUER, STASKUNAS, JOHNSRUD and OTT. Referred to Committee on Health, Human Services, Aging, Corrections, Veterans and Military Affairs.

1     **AN ACT to amend** 908.03 (6m) (d) of the statutes; **relating to:** uniform fees  
2             chargeable for certified duplicate health care records and granting  
3             rule-making authority.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the department of health and family services (DHFS) must, by rule, prescribe uniform fees that a health care provider may charge attorneys to obtain certified duplicate health care records that are subject to subpoena. (Health care providers affected by this law are chiropractors, dentists and physician assistants, nonpublic physicians and nurse anesthetists and certain nonpublic facilities, associations or corporations.) The uniform fees are required to be based on an approximation of the actual costs but also permit the health care provider to charge for postage or other delivery costs. Currently, rules of DHFS permit a health care provider to charge attorneys the greater of \$8.40 per request or 45 cents per record page for the first 50 pages and 25 cents per record page for the remaining pages, \$4 for each X-ray copy and the actual costs of postage or other means of delivery of the records.

This bill eliminates the restriction on the type of health care records that are subject to the uniform fees established by DHFS. Because of that, under the bill, DHFS must establish by rule uniform fees, based on an approximation of actual costs, that a health care provider may charge for certified duplicate health care records that are requested by an attorney on behalf of his or her client. The filing of an action may not be used as a requirement for the application of the uniform fees.

