

**SENATE SUBSTITUTE AMENDMENT 2,
TO 1999 SENATE BILL 195**

November 2, 1999 – Offered by Senators DRZEWIECKI, WELCH and COWLES.

1 **AN ACT** *to amend* 146.83 (1) (b) and 146.83 (1) (c); and *to create* 146.83 (1r) and
2 908.03 (6m) (cm) of the statutes; **relating to:** certified duplicate health care
3 records and uniform fees chargeable for copies of patient health care records
4 and health care provider X rays.

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

5 **SECTION 1.** 146.83 (1) (b) of the statutes is amended to read:

6 146.83 **(1)** (b) Receive a copy of the patient's health care records upon payment
7 of reasonable costs fees specified under sub. (1r).

8 **SECTION 2.** 146.83 (1) (c) of the statutes is amended to read:

9 146.83 **(1)** (c) Receive a copy of the health care provider's ~~X-ray reports~~ X rays
10 upon payment of the fee specified under sub. (1r) or have the ~~X-rays~~ X rays referred
11 to another health care provider of the patient's choice ~~upon payment of reasonable~~
12 costs.

1 **SECTION 3.** 146.83 (1r) of the statutes is created to read:

2 **146.83 (1r)** (a) Subject to par. (c), a health care provider may charge all of the
3 following fees for the provision under sub. (1) (b) of a copy of a patient's health care
4 records:

5 1. For each request, a search fee of \$25.

6 2. For each request for patient health care records that are recorded on paper,
7 the following:

8 a. For the first 10 pages, \$1 per page.

9 b. For the first 11 to 100 pages, 50 cents per page.

10 c. For pages that exceed the first 100 pages, 25 cents per page.

11 3. For each request for patient health care records that requires generation
12 from a microfilm reproduction of an original record or from an original record stored
13 in optical disc or electronic format, \$1.25 per page.

14 4. Actual shipping costs.

15 (b) Subject to par. (c), a health care provider may charge \$10 per X ray for the
16 provision under sub. (1) (c) of a copy of the health care provider's X rays.

17 (c) For years beginning after 2000, all fees specified under pars. (a) 1. to 3. and
18 (b) increase annually by a percentage equal to the percentage change between the
19 U.S. consumer price index for all urban consumers, U.S. city average, for the month
20 of August of the previous year and the U.S. consumer price index for all urban
21 consumers, U.S. city average, for the month of August of the year before the previous
22 year, as determined by the federal department of labor. Beginning in 2001, the
23 department of health and family services shall annually publish this percentage
24 change and any resulting increases to the fees specified under pars. (a) 1. to 3. and
25 (b) in the Wisconsin Administrative Register.

