



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2003 Wisconsin Act 281 [2003 Senate Bill 372]	Patient Health Care Records
2003 Acts: www.legis.state.wi.us/2003/data/acts/	Act Memos: www.legis.state.wi.us/lc/act_memo/act_memo.htm

2003 Wisconsin Act 281 relates to confidentiality of patient health care records.

Under the statutes, patient health care records are generally confidential and may be released only with consent or under certain exceptions specified in the law. Among the exceptions specified in the statutes are those that allow for release of records: (1) to health care facility staff committees, or accreditation or health care services review organizations for purposes of conducting management audits, financial audits, program monitoring and evaluation, health care services reviews, or accreditation; (2) for purposes of treatment of the subject individual; (3) to the extent the records are needed for billing, collection, or payment of claims; and (4) in response to written requests by federal or state governmental agencies to perform legally authorized functions, including audits, evaluations, certification, or licensure.

Act 281 creates an exception to the confidentiality requirement that allows release of patient health care records for purposes of "health care operations," as that term is defined in federal privacy regulations. The federal definition includes quality improvement activities; provider and health plan review; underwriting; medical review, legal services and auditing; business planning and development; and business management and general administrative activities. [45 C.F.R. s. 164.501.]

Effective Date: The Act takes effect on May 1, 2004.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.