



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb1424/1
DAK:hmh:kjf

**ASSEMBLY AMENDMENT 63,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 55**

June 29, 2001 – Offered by Representative BLACK.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 946, line 13: after that line insert:

3 “**SECTION 2850bg.** 146.83 (1) (b) of the statutes is amended to read:

4 146.83 (1) (b) Receive a copy of the patient’s health care records upon payment
5 of reasonable costs fees, as established by rule under sub. (3m).

6 **SECTION 2850bh.** 146.83 (1) (c) of the statutes is amended to read:

7 146.83 (1) (c) Receive a copy of the health care provider’s X-ray reports or have
8 the X-rays referred to another health care provider of the patient’s choice upon
9 payment of reasonable costs fees, as established by rule under sub. (3m).

10 **SECTION 2850bi.** 146.83 (3m) of the statutes is created to read:

11 146.83 (3m) The department shall, by rule, prescribe fees that are based on an
12 approximation of actual costs. The fees, plus applicable state tax, are the maximum

1 amount that a health care provider may charge under sub. (1) (b) for duplicate
2 patient health care records and under sub. (1) (c) for duplicate X-ray reports or the
3 referral of X-rays to another health care provider of the patient's choice. The rule
4 shall also permit the health care provider to charge for actual postage or other actual
5 delivery costs.”.

6 **2.** Page 1219, line 15: after that line insert:

7 “**SECTION 3872x.** 908.03 (6m) (d) of the statutes is amended to read:

8 908.03 (**6m**) (d) *Fees.* ~~The~~ Before July 1, 2002, the department of health and
9 family services shall, by rule, prescribe uniform fees that are based on an
10 approximation of the actual costs. The fees, plus applicable state tax, are the
11 maximum amount that a health care provider may charge under ~~par. (e) 3.~~ for
12 certified duplicate patient health care records. The rule shall also allow the health
13 care provider to charge for actual postage or other actual delivery costs. The
14 commencement of an action is not a prerequisite for the application of this
15 paragraph.

16 **SECTION 3872y.** 908.03 (6m) (d) of the statutes, as affected by 2001 Wisconsin
17 Act (this act), is amended to read:

18 908.03 (**6m**) (d) *Fees.* ~~Before July 1~~ After June 30, 2002 the department of
19 health and family services shall, by rule, prescribe uniform fees that are based on an
20 approximation of actual costs. The fees, plus applicable state tax, are the maximum
21 amount that a health care provider may charge for certified duplicate patient health
22 care records. The rule shall also allow the health care provider to charge for actual
23 postage or other actual delivery costs. ~~The commencement of an action is not a~~
24 ~~prerequisite for the application of this paragraph~~ For duplicate patient health care

1 records and duplicate X-ray reports or the referral of X-rays to another health care
2 provider that are requested before commencement of an action, s. 146.83 (1) (b) and
3 (c) and (3m) applies.”.

4 **3.** Page 1338, line 20: after that line insert:

5 “(14g) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The department of health
6 and family services shall submit in proposed form the rules required under section
7 146.83 (3m) of the statutes, as created by this act, to the legislative council staff
8 under section 227.15 (1) of the statutes no later than the first day of the 5th month
9 beginning after the effective date of this subsection.”.

10 **4.** Page 1420, line 19: after that line insert:

11 “(16f) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The treatment of sections
12 146.83 (1) (b) and (c) and 908.03 (6m) (d) (by SECTION 3872y) of the statutes takes
13 effect on July 1, 2002.”.

14 (END)