

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	9 - 0 - 0
Yeas:	Bonamici, Bruun, Cannon, Flores, Gelser, Kotek, Maurer, Richardson, Greenlick
Nays:	0
Exc.:	0
Prepared By:	Sandy Thiele-Cirka, Administrator
Meeting Dates:	5/17, 5/24, 5/31

WHAT THE MEASURE DOES: Allows a health care provider or state health plan to charge no more than \$30 for copying 10 or fewer pages, .50 cents per page for 11-50 pages; and .25 cents for each additional page of patient health records. Establishes a \$5 bonus charge if the records are processed and mailed back to the requester within seven business days after the date of the request. Declares an emergency; effective on passage.

ISSUES DISCUSSED:

- Process for duplicating medical records
- Costs and complexities associated with copying medical records
- Primary requestors of medical records
- Background on why fee schedule is in statute
- Concerns associated with private business practices and state dollars
- Inadequacy of fee schedule with current demand
- Requests received by mail via fax
- Importance of ensuring that releases are handled by qualified and trained staff

EFFECT OF COMMITTEE AMENDMENT: Establishes fee schedule as follows: \$30 fee for 10 or fewer pages, .50 cents per page for 11-50 pages; .25 cents for each additional page. Establishes \$5 bonus charge if the records are processed and mailed back to the requester within seven business days after the date of the request. Adds emergency clause, effective on passage.

BACKGROUND: The Health Insurance Portability and Accountability Act (HIPAA) of 1996 was designed to improve the efficiency and effectiveness of the health care system by encouraging the development of standards for the electronic transmission, privacy and security of certain health information. States are currently taking action to meet HIPAA requirements.

Oregon's statewide HIPAA effort was centralized in 1992 at the Department of Administrative Services (DAS) to assist state agencies in determining HIPAA impacts and meeting their federal HIPAA requirements. Oregon SB 104 (2001) also established the Governor's Advisory Board on Medical Information to propose new legislation as a result of meeting federal obligations under HIPAA.

HIPPA regulations and the increased use of electronic medical records have complicated the process of retrieving and duplicating medical records.

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This summary has not been adopted or officially endorsed by action of the committee.