The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ridge.

DIGEST

SB 349 Original | 2020 Regular Session | Fred Mills

Present law provides for unfair or deceptive trade practices and remedies and penalties for these practices.

Proposed law provides that all contracts for the provision of cloud-based electronic health records shall require that upon the termination of the relationship between the electronic medical records vendor (vendor) and the medical provider (provider), the vendor shall provide to the provider, at no extra charge, an electronic copy of all health records that the vendor maintained for the provider. Provides the electronic copy of the health records shall be in a usable and readable format as agreed to by the parties.

Proposed law provides that any requirement that a provider maintain a contract or provide additional compensation to a vendor to obtain the electronic health records shall be an unlawful and an unfair or deceptive trade practice and shall subject the violator to any and all actions and penalties provided for in the Unfair Trade Practices and Consumer Protection Law.

Effective August 1, 2020.

(Adds R.S. 51:1429)