(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

HEALTH CARE/RECORDS. Provides with respect to health care records.

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DIGEST

Present law provides procedures for obtaining medical records. Provides a graduated cost scale per page of medical records requested and a separate cost for digital format.

Proposed law retains present law. Requires written notice by certified mail or commercial carrier of a violation of present law to be provided to the provider of medical records via the contact information provided by the health care provider or its agent, or if no contact information is provided then to the custodian of medical records of the health care provider. Further assesses a civil penalty of $500 per violation, plus attorney fees and costs at the discretion of the court, if the provider fails to comply within 15 days.

(Adds R.S. 40:1299.96(A)(2)(b)(iii))

Summary of Amendments Adopted by House

   Committee Amendments Proposed by House Committee on Civil Law and Procedure to
        the original bill.

   1.   Deleted proposed law changes to fee schedule.

   2.   Required notice of violations to be given to the provider of medical records and
          provides for the assessment of the civil penalty if the violation is not corrected
          within three days of receipt of notice.

   House Floor Amendments to the engrossed bill.

   1.   Required the health care provider to be notified via the contact information
          provided by the health care provider or its agent, or if no contact information is
          provided, then to the custodian of medical records of the health care provider.

Summary of Amendments Adopted by Senate

   Committee Amendments Proposed by Senate Committee on Health and Welfare to the
        reengrossed bill

   1.   Requires notification by certified mail or commercial carrier.

   2.   Changes response time from three days from receipt to 15 days from receipt.

   3.   Changes civil penalty from $1,000 to $500 per violation.

   4.   Provides for attorney fees and costs to be applied at the discretion of the court.