STAND. COM. REP. NO. 247 -06

Honolulu, Hawaii

Fe410, 2006

RE: H.B. No. 2902 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 2902 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL RECORDS,"

begs leave to report as follows:

The purpose of this bill is to establish a schedule of fees for the cost of reproducing medical records for documentary evidence.

Specifically, the bill provides that the reasonable cost for copies of medical records shall be not more than \$1 per page for up to fifty pages and not more than fifty cents for each page thereafter. The reasonable cost for reproducing electronic and microfilm documents, however, is unspecified.

Under existing law, there is uncertainty in determining what are the "reasonable" or "actual costs of preparation" in copying medical records for documentary evidence. Hawaii is one of only seven states that do not have a specific fee chart or clear guidelines to determine the reasonable cost of copying medical records. Your Committee recognizes that there is a significant amount of preparation that is required before medical records may be copied and that some hospitals do not charge copying costs in response to certain requests, such as patient requests for records necessary for continuing care, prosecutor's offices, and the Family Court. Your Committee believes that this bill will assist

attorneys and judges by removing the ambiguity in the costs of copying medical records for documentary evidence.

Accordingly, your Committee has amended this bill as follows to ensure further discussion on this issue:

- (1) By changing the reasonable cost of copies of medical records from \$1 for the first fifty pages and fifty cents for each page thereafter to unspecified amounts; and
- (2) By changing the reasonable cost of reproducing written or typed documents from \$1 for the first fifty pages and fifty cents for each page thereafter to unspecified amounts.

Your Committee requests that future discussion include a determination of the maximum amount of a cap imposed on these costs.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2902, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2902, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Health,

DENNIS A. ARAKAKI, Chair

State of Hawaii House of Representatives The Twenty-third Legislature

HSCR 247-06

Record of Votes of the Committee on Health

HB 2092, 2 902 02/06/06				
Committee Referral: HLT, FIN	The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended Pass, with amendments				
☐ Hold	☐ Recommit			
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. ARAKAKI, Dennis A. (C)	/			
2. GREEN, Josh, M.D. (VC)				
3. CABANILLA, Rida T.R.				
4. HALE, Heléne H.				
5. NISHIMOTO, Scott Y.				
6. SONSON, Alex M.				
7. HALFORD, Chris				
		*		
				2
TOTAL	4	0	0	5
The recommendation is: Adopted Not Adopted				
If joint referral, did not support recommendation.				
committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				