

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0754.01 Chelsea Princell x4335

HOUSE BILL 22-1293

HOUSE SPONSORSHIP

Daugherty and Van Winkle,

SENATE SPONSORSHIP

Zenzinger and Smallwood,

House Committees
Health & Insurance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE PROVISION OF MEDICAL RECORDS IN THE CUSTODY
102 OF A HEALTH-CARE FACILITY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, attorneys are not subject to the reasonable fee guidelines when requesting medical records on behalf of a client. The bill includes attorneys among the individuals who can request medical records on behalf of a patient and subjects them to the same reasonable fee limitations for the costs associated with obtaining copies of medical records.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

The bill caps the amount that can be paid as a reasonable fee at the maximum limit allowed under the federal "Health Information Technology for Economic and Clinical Health Act".

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 25-1-801, **amend**
3 (5)(b) and (5)(c)(I) introductory portion as follows:

4 **25-1-801. Patient records in custody of health-care facility -**
5 **definitions.** (5) As used in this part 8, unless the context otherwise
6 requires:

7 (b) "Personal representative" has the meaning set forth in 45 CFR
8 164.502, AND ALSO INCLUDES AN ATTORNEY REQUESTING MEDICAL
9 RECORDS ON BEHALF OF A CLIENT.

10 (c) (I) "Reasonable fees" means ~~an~~ THE LESSER OF THE MAXIMUM
11 LIMIT ALLOWED UNDER THE FEDERAL "HEALTH INFORMATION
12 TECHNOLOGY FOR ECONOMIC AND CLINICAL HEALTH ACT", 42 U.S.C.
13 17935 (e), OR THE TOTAL amount ~~not to exceed~~ OF:

14 **SECTION 2. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, or safety.