

BILL ANALYSIS

Senate Research Center
76R5492 SMH-D

S.B. 407
By: Duncan
Health Services
3/5/1999
As Filed

DIGEST

Currently, Texas law authorizes a physician to charge a reasonable fee for copying a patient's medical records and the physician is not required to permit examination or copying until the fee is paid, unless there is a medical emergency. The Texas State Board of Medical Examiners is required to prescribe what constitutes a reasonable fee. This bill would prohibit a physician from charging a patient a fee for copying a patient's medical records if the number of pages copied does not exceed 10 pages.

PURPOSE

As proposed, S.B. 407 prohibits a physician from charging a fee for copying a patient's medical records if the number of pages copied does not exceed 10 pages.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 5.08(o), Article 4495b, V.T.C.S. (Medical Practice Act), to provide that except as otherwise provided by this subsection, a physician may charge a reasonable fee for copying medical records. Prohibits a physician from charging a patient a fee for copying a patient's medical records if the number of pages copied does not exceed 10 pages. Makes a nonsubstantive change.

SECTION 2. Emergency clause.

Effective date: upon passage.