

# ANALYSIS OF HOUSE BILL 1235

Eliminating fees for recorded health information.

**SPONSORS:** Representative Slori and Dunn.

**BACKGROUND:** The state Health Information Act governs the confidentiality and disclosure of the health information contained in a patient's health record. It declares that patients need access to their own health care information in order to help them make informed health care decisions. It provides a procedure for the patient to request copies of their records from their health care provider and the health care provider may charge a reasonable fee for searching and copying the patient's records.

The charge for copying patient health records is limited by law. A health care provider may not charge more than 74 cents a page for the first thirty pages, and no more than 57 cents for all other pages. In addition, the provider may charge a cleric's fee up to \$17 for searching and handling the records if the provider personally identifies confidential information from the records as required by statute, the provider can charge the usual fee for a basic office visit.

Disabled persons and those eligible for public assistance can pursue claims seeking benefits under state public assistance programs or the federal Social Security Act who may be indigent. Claimant's medical records are necessary to support their claims but the costs of obtaining their health information from their health care provider may impose a financial burden.

**SUMMARY:** No fee may be charged by a health care provider for searching and copying a patient's health record when furnishing a patient's health record to a patient or his or her attorney or authorized representative of the health information requested for the purpose of supporting a claim or appeal under the federal Social Security Act, or any federal or state financial needs-based benefit program. The request must be accompanied by documentation for the claim or appeal.

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