
SENATE BILL 5098

State of Washington

57th Legislature

2001 Regular Session

By Senator Winsley

Read first time 01/10/2001. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to the costs for reproducing health care
2 records; and amending RCW 70.02.010.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.02.010 and 1993 c 448 s 1 are each amended to read
5 as follows:

6 As used in this chapter, unless the context otherwise requires:

7 (1) "Audit" means an assessment, evaluation, determination, or
8 investigation of a health care provider by a person not employed
9 by or affiliated with the provider to determine compliance with:

10 (a) Statutory, regulatory, fiscal, medical, or scientific
11 standards;

12 (b) A private or public program of payments to a health care
13 provider; or

14 (c) Requirements for licensing, accreditation, or
15 certification.

16 (2) "Directory information" means information disclosing the
17 presence, and for the purpose of identification, the name,
18 residence, sex, and the general health condition of a particular

1 patient who is a patient in a health care facility or who is
2 currently receiving emergency health care in a health care
3 facility.

4 (3) "General health condition" means the patient's health
5 status described in terms of "critical," "poor," "fair," "good,"
6 "excellent," or terms denoting similar conditions.

7 (4) "Health care" means any care, service, or procedure
8 provided by a health care provider:

9 (a) To diagnose, treat, or maintain a patient's physical or
10 mental condition; or

11 (b) That affects the structure or any function of the human
12 body.

13 (5) "Health care facility" means a hospital, clinic, nursing
14 home, laboratory, office, or similar place where a health care
15 provider provides health care to patients.

16 (6) "Health care information" means any information, whether
17 oral or recorded in any form or medium, that identifies or can
18 readily be associated with the identity of a patient and directly
19 relates to the patient's health care. The term includes any record
20 of disclosures of health care information.

21 (7) "Health care provider" means a person who is licensed,
22 certified, registered, or otherwise authorized by the law of this
23 state to provide health care in the ordinary course of business or
24 practice of a profession.

25 (8) "Institutional review board" means any board, committee, or
26 other group formally designated by an institution, or authorized
27 under federal or state law, to review, approve the initiation of,
28 or conduct periodic review of research programs to assure the
29 protection of the rights and welfare of human research subjects.

30 (9) "Maintain," as related to health care information, means to
31 hold, possess, preserve, retain, store, or control that
32 information.

33 (10) "Patient" means an individual who receives or has received
34 health care. The term includes a deceased individual who has
35 received health care.

36 (11) "Person" means an individual, corporation, business trust,
37 estate, trust, partnership, association, joint venture,

1 government, governmental subdivision or agency, or any other legal
2 or commercial entity.

3 (12) "Reasonable fee" means the charges for duplicating ((~~or~~
4 ~~searching~~)) the record, but shall not exceed sixty-five cents per
5 page for the first thirty pages and fifty cents per page for all
6 other pages. In addition, a clerical fee for searching and handling
7 may be charged not to exceed fifteen dollars. A health care
8 provider may not charge a second clerical fee to produce the
9 medical bill; one clerical fee may be charged for both the
10 treatment records and bills for treatment with the health care
11 provider. The clerical fee for a health care provider who permits
12 an independent medical records copying service to retrieve and
13 duplicate the medical records shall not exceed ten dollars. These
14 amounts shall be adjusted biennially in accordance with changes in
15 the consumer price index, all consumers, for Seattle-Tacoma
16 metropolitan statistical area as determined by the secretary of
17 health. However, where editing of records by a health care provider
18 is required by statute and is done by the provider personally, the
19 fee may be the usual and customary charge for a basic office
20 visit.

21 (13) "Third-party payor" means an insurer regulated under Title
22 48 RCW authorized to transact business in this state or other
23 jurisdiction, including a health care service contractor, and
24 health maintenance organization; or an employee welfare benefit
25 plan; or a state or federal health benefit program.

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