



Maryland  
Hospital Association

## **House Bill 849 - Public Health Medical Records - Fees**

### **Position: *Support with Amendments***

March 2, 2021

House Health & Government Operations Committee

### **MHA Position**

On behalf of the Maryland Hospital Association's (MHA) 60 member hospitals and health systems, we appreciate the opportunity to comment in support of House Bill 849. Maryland hospitals fully support giving medical records to patients upon request so they can make informed decisions about their health care and apply for needed benefits to access care. Most acute care hospitals have online portals so patients can access their own records at no cost. Yet, there are times when a representative helping a patient access benefits through the Social Security Act need copies of the patient's records upon their consent.

We worked with the bill sponsor and proponents to agree to amendments to clarify that the bill was not intended to modify fees for copying records, as codified by legislation in 2016, but to clarify that under certain provisions within the federal Social Security Act, fees associated with preparing and copying records are waived for certain individuals and their representative. Medical records are required to support a claim for Supplemental Security Income or Social Security Disability Income for individuals seeking benefits.

### **Support Amendments:**

Amendment 1:

Strike changes to references on page 2 lines 11-17: related to modifying current laws on fees for preparing and handling medical records. Retain the existing statute.

Amendment 2:

Strike on page 3, lines 13-20: replace with:

A provider or its representative shall not charge a fee for copies of MEDICAL records requested by a patient, a patient's personal representative, or an employee of a nonprofit legal services entity or other volunteer based program representing the patient if the request for copies of MEDICAL records is for THE purpose[s] of claiming or appealing a denial of Social Security disability income or Social Security disability benefits under title II or title XVI of the Social Security Act.

For more information, please contact:

Jennifer Witten, Vice President, Government Affairs

Jwitten@mhaonline.org