

FIRST REGULAR SESSION

SENATE BILL NO. 219

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR MATHEWSON.

Pre-filed December 28, 2000, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

0067S.011

AN ACT

To repeal section 191.227, RSMo 2000, relating to access to medical records, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 191.227, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 191.227, to read as follows:

191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a handling fee of fifteen dollars plus a fee of thirty-five cents per page for copies of documents made on a standard photocopy machine.

2. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of medical record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

3. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

4. If an autopsy is performed on a deceased patient and an autopsy report is prepared, such report shall be made available upon request to the surviving spouse if the surviving spouse appropriately consented to the autopsy, pursuant to section

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