

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 741

SHORT TITLE: Medical Record Fees

SPONSOR(S): Representatives Blue, Hayes, and Gamble

FISCAL IMPACT: Expenditures: Increase () Decrease ()
Revenues: Increase () Decrease ()
No Impact ()
No Estimate Available (x)

FUND AFFECTED: General Fund (x) Highway Fund () Local Govt. ()
Other Funds ()

BILL SUMMARY: Amends GS 90-411 to change fee from \$.50 per page with minimum fee of \$10 to fee not to exceed \$15 for search and retrieval, \$1 per page for copies made from paper, and \$2 per page for copies made from microfilm, plus actual postage and shipping fees and sales tax, if applicable. Deletes provision placing charges for reports related to Workers Compensation claims under rules of Industrial Commission. Prohibits any charge if request is made by the patient or patient's health care provider for purpose of providing medical care, and states that the law does not limit patient's inspection or copying of his or her medical records in any legally permissible manner other than as provided in this section.

EFFECTIVE DATE: Upon ratification.

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED: Comprehensive Major Medical Plan for Teachers and State Employees, Department of Commerce, Department of Correction, Department of Environment, Health, and Natural Resources, Department of Human Resources, and UNC System

FISCAL IMPACT

Table with 6 columns: REVENUES, GENERAL FUND, HIGHWAY FUND, HIGHWAY TRUST FUND, LOCAL, EXPENDITURES, POSITIONS. Rows show fiscal years FY95-96, FY96-97, FY 97-98, FY99-99, FY99-00 with values like N/A, \$0, 0.

ASSUMPTIONS AND METHODOLOGY:

1. We contacted each of the state institutions/agencies which would be affected by this bill and requested the following information related to last year's medical record requests:

- a. Current fee structure,
- b. Total number of requests last year, average number of pages per request, and total revenues collected,
- c. Actual processing costs, and
- d. Estimated fiscal impact of this bill.

2. We received a wide variety of responses which we can generalize as follows:

a. No institution or agency will incur additional cost as a result of this bill.

b. Inadequate records are kept for us to be able to calculate the additional revenues this bill would generate. The proposed fee structure sets allowable fees that, overall, are more generous than ones used in current practice. The greatest annual revenues from medical record requests are received by UNC Hospitals, at \$22,000 per month, and East Carolina University Health Care Clinics, at \$27,600 per year. However, the remaining facilities generated annual revenues well under \$3,000 per year.

c. Initially, we were concerned that patients' requests for their own records for continuing health care purposes could be a category which decreased institutions' revenues significantly, since they will no longer be able to charge patients a fee for these records. However, few organizations charge for this service currently, so there is no significant impact.

SOURCES OF DATA: Comprehensive Major Medical Plan for Teachers and State Employees, Department of Commerce, Department of Correction, Department of Environment, Health, and Natural Resources, Department of Human Resources, and UNC System

FISCAL RESEARCH DIVISION

733-4910

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DATE: July 5, 1995



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