

House Bill 385 (AS PASSED HOUSE AND SENATE)

By: Representatives Nimmer of the 178<sup>th</sup>, Dickey of the 140<sup>th</sup>, Rogers of the 10<sup>th</sup>, and Coomer of the 14<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 31-33-3 of the Official Code of Georgia Annotated, relating to costs  
2 of copying and mailing and patient's rights as to records, so as to move responsibility for  
3 determining the annual cost adjustment for providing medical records from the Office of  
4 Planning and Budget to the Department of Community Health; to repeal conflicting laws;  
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 31-33-3 of the Official Code of Georgia Annotated, relating to costs of copying  
9 and mailing and patient's rights as to records, is amended by revising subsection (a) as  
10 follows:

11 "(a) The party requesting the patient's records shall be responsible to the provider for the  
12 costs of copying and mailing the patient's record. A charge of up to \$20.00 may be  
13 collected for search, retrieval, and other direct administrative costs related to compliance  
14 with the request under this chapter. A fee for certifying the medical records may also be  
15 charged not to exceed \$7.50 for each record certified. The actual cost of postage incurred  
16 in mailing the requested records may also be charged. In addition, copying costs for a  
17 record which is in paper form shall not exceed \$.75 per page for the first 20 pages of the  
18 patient's records which are copied; \$.65 per page for pages 21 through 100; and \$.50 for  
19 each page copied in excess of 100 pages. All of the fees allowed by this Code section may  
20 be adjusted annually in accordance with the medical component of the consumer price  
21 index. ~~The Office of Planning and Budget~~ Department of Community Health shall be  
22 responsible for calculating this annual adjustment, which will become effective on July 1  
23 of each year. To the extent the request for medical records includes portions of records  
24 which are not in paper form, including but not limited to radiology films, models, or fetal

25 monitoring strips, the provider shall be entitled to recover the full reasonable cost of such  
26 reproduction. Payment of such costs may be required by the provider prior to the records  
27 being furnished. This subsection shall not apply to records requested in order to make or  
28 complete an application for a disability benefits program."

29

**SECTION 2.**

30 All laws and parts of laws in conflict with this Act are repealed.