

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1233

Introduced by

Representatives DeKrey, Weisz

Senators Fischer, D. Mathern

1 A BILL for an Act to amend and reenact section 23-12-14 of the North Dakota Century Code,
2 relating to copies of medical records.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 23-12-14 of the 1999 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **23-12-14. Copies of medical records.**

- 7 1. As used in this section, "medical provider" means a licensed individual or licensed
8 facility providing health care services. This section applies to every medical
9 provider unless expressly provided otherwise by law. Upon the written request of
10 a medical provider's patient or any person authorized by a patient, the medical
11 provider shall:
- 12 a. Provide a free copy of a patient's medical records to a medical provider
13 designated by the patient or the person authorized by the patient, if the
14 records are requested for the purpose of transferring that patient's medical
15 care to another medical provider for the continuation of medical treatment.
- 16 b. Provide a copy of a patient's medical records requested for any purpose other
17 than the continuation of care for a maximum charge of twenty dollars for the
18 first twenty-five pages and seventy-five cents per page for every page beyond
19 twenty-five. This charge includes any administrative fee, retrieval fee, and
20 postage expense.
- 21 2. A written medical records release must be for a specific stated time, but not to
22 exceed three years or until revoked in writing by the patient.
- 23 3. It is not a prohibited practice as defined in chapter 26.1-04 for health insurance
24 companies with participating provider agreements to require that subscribers or

Fifty-seventh
Legislative Assembly

- 1 members are responsible for providing the insurer copies of medical records used
- 2 for claims processing when using nonparticipating providers.