

Illinois State Medical Society



MEMORANDUM

TO: Honorable Members of the House Judiciary Committee

FROM: James E. Tierney, Vice President
Robert John Kane, Legal Counsel
Kimberly B. Janas, Assistant Vice President
Erin O'Brien, Assistant Vice President

RE: Oppose HB 3845 – Fees for Copying Medical Records

DATE: March 9, 2015

The physician members of the Illinois State Medical Society respectively urge you to vote “NO” on House Bill 3845, a measure that would remove current regulations on fees that can be charged for copying medical records in connection with claims or appeals under provisions of Social Security Act, and instead force physician practices and other health care professionals to unfairly absorb the costs.

Medical record fees are already limited; both by state and federal law.

HIPAA limits the amount health care professionals can charge when the records are to be provided to an individual patient. The maximum charge allowed is the direct cost of copying the medical records: supplies and labor plus postage. No handling fee is allowed under HIPAA when records are going to patients or their personal representatives.

Under state law, the amount a physician or other health care professional may charge for copying medical records is limited to the following:

\$26.58 handling fee (for persons other than patients)
\$1.00 per page for pages 1-25
\$0.66 each for pages 26-50
\$0.33 each for pages 51 to end

Illinois law requires that copies must be provided electronically, if available. The fees for copying electronic documents are 50% of the per page fee.

HB 3845 would remove these regulations in cases that involve claims or appeals under provision of the Social Security Act and replace it with an arbitrary \$20 fee for the first five years of this bill becoming law. After five years, health care professionals would be prohibited from charging any fee.

Reducing and eliminating the fee DOES NOT eliminate the costs associated with copying medical records, and **physician practices will not be able to absorb these costs. This creates an unsustainable business practice for health care professionals.** We believe the current limits on fees are fair for both the patient and the health care professional.

For these reasons, we respectively urge you to vote “NO” on HB 3845.