

Honolulu, Hawaii

Feb 10, 2006

RE: H.B. No. 2902  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 2902  
entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL RECORDS,"

begs leave to report as follows:

The purpose of this bill is to establish a schedule of fees  
for the cost of reproducing medical records for documentary  
evidence.

Specifically, the bill provides that the reasonable cost for  
copies of medical records shall be not more than \$1 per page for  
up to fifty pages and not more than fifty cents for each page  
thereafter. The reasonable cost for reproducing electronic and  
microfilm documents, however, is unspecified.

Under existing law, there is uncertainty in determining what  
are the "reasonable" or "actual costs of preparation" in copying  
medical records for documentary evidence. Hawaii is one of only  
seven states that do not have a specific fee chart or clear  
guidelines to determine the reasonable cost of copying medical  
records. Your Committee recognizes that there is a significant  
amount of preparation that is required before medical records may  
be copied and that some hospitals do not charge copying costs in  
response to certain requests, such as patient requests for records  
necessary for continuing care, prosecutor's offices, and the  
Family Court. Your Committee believes that this bill will assist



attorneys and judges by removing the ambiguity in the costs of copying medical records for documentary evidence.

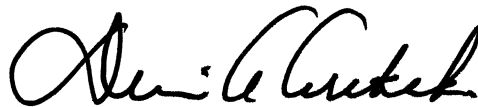
Accordingly, your Committee has amended this bill as follows to ensure further discussion on this issue:

- (1) By changing the reasonable cost of copies of medical records from \$1 for the first fifty pages and fifty cents for each page thereafter to unspecified amounts; and
- (2) By changing the reasonable cost of reproducing written or typed documents from \$1 for the first fifty pages and fifty cents for each page thereafter to unspecified amounts.

Your Committee requests that future discussion include a determination of the maximum amount of a cap imposed on these costs.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2902, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2902, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,



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DENNIS A. ARAKAKI, Chair



