

STAND. COM. REP. NO. 2601

Honolulu, Hawaii

FEB 28 2014

RE: S.B. No. 3012
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committees on Human Services and Judiciary and Labor, to which was referred S.B. No. 3012 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to require health care providers to provide medical records free of charge for the purposes of claims or appeals related to a proceeding under any provision of the Social Security Act or for state assistance under the aged, blind, and disabled program.

Your Committees received testimony in support of this measure from one individual. Your Committees received testimony in opposition to this measure from the Healthcare Association of Hawaii, Hawaii Medical Association, and The Queen's Health Systems.

Your Committees find that, under existing law, a health care provider may charge a reasonable amount for the service of providing copies of patient records, but the determination of a reasonable amount does not factor in the patient's economic status or the patient's specific need for the records. Your Committees further find that, by regulation, individuals who qualify for benefits under the Social Security Act or the state aged, blind, and disabled program have almost no income. This measure improves this population's access to personal medical records, which serves the public good and is important for a patient's medical treatment and potential disability application. Your Committees received

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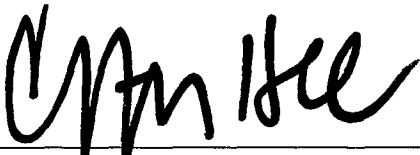
testimony on this measure expressing concern that providing the medical records at no cost would be too burdensome.

Your Committees have amended this measure by:

- (1) Changing the language to allow health care providers to provide medical records at no cost or to charge a flat fee of \$15.60, or the amount currently approved by the Social Security Administration, whichever amount is greater, for copies of medical records necessary to support a claim or appeal under the Social Security Act;
- (2) Deleting references to a patient's attorney or a patient's authorized representative regarding the option to charge either the flat fee or amount approved by the Social Security Administration to support claims or appeals under the Social Security Act, and to not charge otherwise, for copies of medical records;
- (3) Removing language referencing the state aged, blind, and disabled program; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3012, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3012, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Human Services
and Judiciary and Labor,



CLAYTON HEE, Chair

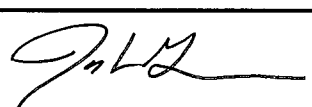


SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 3012	Committee Referral: HMS/JDL	Date: 2-18-14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
GREEN, M.D., Josh (VC)	✓			
KIDANI, Michelle N.				✓
TANIGUCHI, Brian T.				✓
SLOM, Sam	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 3012	Committee Referral: HMS / JDL	Date: 2/18/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
GALUTERIA, Brickwood	✓			<i>WR</i>
IHARA, Jr., Les	✓			
SOLOMON, Malama	✓			
SLOM, Sam	✓			
TOTAL	7			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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