

JAN 15 2025

A BILL FOR AN ACT

RELATING TO MEDICAL RECORDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 622, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§622-A Billing records. (a) If a patient of a health
5 care provider requests copies of the patient's detailed billing
6 records of services rendered, the copies shall be made available
7 to the patient within ten working days of the request.

8 (b) If a patient of a health care provider has a credit on
9 the patient's account after related services have been provided
10 and paid for, the health care provider shall provide written
11 notice of the credit to the patient.

12 (c) For purposes of this section, "health care provider"
13 has the same meaning as defined in section 671-1.

14 "§622-B Penalties. Any person found to have violated
15 section 622-57(a) or section 622-A shall be fined not more than:

16 (1) \$ _____ for a first violation; and

17 (2) \$ _____ for any subsequent violation."



S.B. NO. 368

1 SECTION 2. Section 622-57, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) If a patient of a health care provider as defined in
4 section 671-1, requests copies of the patient's medical records,
5 the copies shall be made available to the patient in a timely
6 manner pursuant to title 45 Code of Federal Regulations section
7 164-524(b) unless, in the opinion of the health care provider,
8 it would be detrimental to the health of the patient to obtain
9 the records. If the health care provider is of the opinion that
10 release of the records to the patient would be detrimental to
11 the health of the patient, the health care provider shall advise
12 the patient that copies of the records will be made available to
13 the patient's attorney upon presentation of a proper
14 authorization signed by the patient."

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17

INTRODUCED BY: Caion Fuhunaga



S.B. NO. 368

Report Title:

Health Care Providers; Medical Records; Billing Records; Record Request; Response Timeframe; Account Credit; Notice to Patient; Penalties

Description:

Requires health care providers to provide patients with copies of billing records within ten working days of a request from the patient and provide written notice to patients if there is a credit on the patient's account. Clarifies that health care providers must respond to medical record requests from patients in a timely manner pursuant to federal regulations, with exceptions. Establishes penalties for violations.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

