

Judiciary Committee

JOINT FAVORABLE REPORT

Bill No.: SB-1437

AN ACT CONCERNING REQUESTS FOR HEALTH RECORDS AND THE FEES

Title: CHARGED FOR ACCESS TO SUCH RECORDS.

Vote Date: 4/4/2025

Vote Action: Joint Favorable Substitute

PH Date: 3/7/2025

File No.:

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SPONSORS OF BILL:

Judiciary Committee

REASONS FOR BILL:

For attorneys and patients, it can take significant time to get access to requested health records. This bill aims to hold medical record providers accountable for getting health records sent to the attorney or patient in a timely manner and lays out the cost parameters for such record.

SUBSTITUTE LANGUAGE:

The substitute language clarifies in lines 68-76 that the payment of health records would occur following the receipt of such records.

RESPONSE FROM ADMINISTRATION/AGENCY:

None expressed.

NATURE AND SOURCES OF SUPPORT:

Lisa Freeman, Executive Director, CT Center for Patient Safety: She submitted testimony in support of this legislation because she believes it is important for patients to be able to have easy, affordable access to their medical records. She explained that records are no longer physical so there is no longer a need to make physical copies, which is costly and can require significant manpower depending on the size of the request.

Alinor Sterling, President, CT Trial Lawyers' Association: She submitted testimony in support of this legislation because timely, procedurally efficient, and affordable access to medical records by patients and their authorized representatives is critically important to patients and their families. She furthered that many times, a person's legal rights depend on timely access to medical records, and the current system is inefficient and comes at unreasonable costs, which can prevent judicial proceedings from moving forward.

NATURE AND SOURCES OF OPPOSITION:

Elizabeth McElhiney, Association of Health Information Outsourcing Services:

She submitted testimony in opposition to this legislation because it would lower third-party fees putting patient privacy at risk and shifting the financial cost of the release of information from third-party requesters to Connecticut healthcare providers. She believes it would also suffocate the current flow of critical information as it would allow third party requesters to receive electronic medical records for little cost.

Adrienne Morrell, VP, Government Relations, MRO Corporation: She submitted testimony in opposition to this legislation because it increases the costs for hospital systems and providers. Additionally, she believes it weakens the current framework ensuring patient medical record privacy.

Robert Reed, Government Relations Officer, Yale New Haven Health: He submitted testimony in opposition to this legislation because of the potential operational and financial impacts of the proposed changes. He believes the tight timeframes proposed in this legislation could lead to significant administrative strain on hospitals which can lead to numerous further issues.

Kyle Probst, Deputy General Counsel and Director of Government Relations, Datavant:

He submitted testimony in opposition to this legislation because it would result in an additional administrative and financial burden being imposed on medical providers without reimbursement by the various entities requesting records, which could jeopardize patient privacy.

The Connecticut Hospital Association: The CT Hospital Association submitted testimony in opposition to section 1 of this legislation because it imposes additional administrative infrastructure obligations upon the Workers' Compensation Commission. They stated that the proposed sanctions may also disincentivize provider participation in the workers' compensation system.

Connecticut State Medical Society: They submitted testimony in opposition to section 1 of this legislation because it would impose unnecessary burdens and punitive measures that could have a negative impact on the delivery of healthcare services; this could discourage physicians from participating in workers' compensation cases.

Reported by: Griffin Olshan

Date: April 4, 2025