

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 529

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H. P. 424

House of Representatives, February 17, 1977

On motion of Ms. Clark of Freeport, referred to Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Ms. Clark of Freeport.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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AN ACT to Standardize the Provision of Copies of Medical Records to  
Patients of Hospitals.

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Be it enacted by the People of the State of Maine, as follows:

22 MRSA § 1711 is enacted to read:

§ 1711. Patient access to hospital medical records

If a patient of an institution licensed as a hospital by the State, after discharge from such institution, makes written request for copies of his or her medical records, the copies shall, if available, be made available within a reasonable time unless, in the opinion of the hospital, it would be detrimental to the health of the patient to obtain the records. If the hospital is of the opinion that release of the records to the patient would be detrimental to the health of the patient, the hospital shall advise the patient that copies of the records shall be made available to the patient's attorney upon presentation of a proper authorization signed by the patient.

If an attorney for a patient requests, in writing, that a hospital provide the attorney with a copy of the patient's medical records and presents a proper authorization from the patient for the release of the information, copies shall be provided to the attorney within a reasonable time.

Reasonable costs incurred by the hospital in making and providing copies of medical records, shall be borne by the requesting person and the hospital may require payment prior to responding to the request.

STATEMENT OF FACT

The purpose of this bill is to standardize the method under which patients may request copies of their medical records from hospitals. Medical records,

while the property of the hospital, relate to the care of individual patients. Hospitals generally provide these records but the procedure is not standardized throughout the State. This bill also establishes a procedure for dealing with requests for medical records of patients when the health care provider believes that direct release of the records to the patient would be injurious to the patient's health.