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**HOUSE COMMITTEE AMENDMENTS**

2020 Regular Session

Substitute for Original House Bill No. 243 by Representative Lyons as proposed by the House Committee on Health and Welfare

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**This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.**

To amend and reenact R.S. 46:18(A), relative to medical records of persons filing for social security disability benefits; to prohibit costs associated with accessing medical records; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:18(A) is hereby amended and reenacted to read as follows:

§18. Health care records; copies

A. The provider of health care shall furnish to the claimant, the person appointed to represent the claimant in his dealings with the Social Security Administration, or an agent with written authorization made pursuant to 45 CFR 164.508, upon request, a copy of any records that are necessary to support his filing for social security disability benefits or supplemental security income benefits under any provision of the Social Security Act. ~~Cost of each photocopy shall not exceed fifty cents per page for the first five pages and twenty-five cents for each additional page except that the amount due shall not be less than the amount paid by the Department of Children and Family Services for such copies. Payment for any copies made in connection with disability determinations shall be made to the health care provider's agent instead of the health care provider when the agent makes the copies. The copies shall be furnished by the healthcare provider at no cost to the claimant. The claimant, the person appointed to represent the claimant in his dealings, or an agent shall provide supporting documentation when requesting a copy of any records that are necessary to support his filing for social security disability benefits or supplemental security income benefits under any provision of the Social Security Act.~~ The copies shall be furnished by the healthcare provider at no cost to the claimant. The claimant, the person appointed to represent the claimant in his dealings, or an agent shall provide supporting documentation when requesting a copy of any records that are necessary to support his filing for social security disability benefits or supplemental security income benefits under any provision of the Social Security Act.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB Draft

2020 Regular Session

**Abstract:** Provides persons filing for social security disability benefits shall not incur costs when obtaining medical records.

Present law provides that a claimant or his legal representative shall have a right to obtain a copy of the claimant's medical records that are necessary to support the filing for social security disability benefits or supplemental security income benefits under any provision of present law. Further provides that the cost of each photocopy shall be paid to the healthcare provider's agent and not exceed fifty cents per page for the first five pages and twenty-five cents for each additional page except the amount due shall not be less than what is paid by the Department of Children and Family Services.

Proposed law revises present law and adds that the copies shall be furnished at no cost to the claimant seeking social security disability benefits or supplemental security income benefits under present law. Further provides that the request for copies of any record shall be accompanied by supporting documentation.

(Amends R.S. 46:18(A))