

IN THE SENATE

SENATE BILL NO. 1087, As Amended

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO MEDICAL RECORDS; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 73, TITLE 39, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING COPIES OF CERTAIN MEDICAL RECORDS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 73, Title 39, Idaho Code, and to read as follows:

CHAPTER 73

MISCELLANEOUS HEALTH PROVISIONS

39-7301. COPIES OF MEDICAL RECORDS -- COSTS. (1) As used in this section, "health care provider" means:

(a) A physician or other health care practitioner licensed, accredited, or certified to perform health care services consistent with state law or any agency or third-party representative of such practitioner; or

(b) A health care facility or its agent.

(2) A health care provider shall provide one (1) free copy of a patient's medical records, including mental health records, if requested by a patient, former patient, the patient's authorized attorney, or the patient's authorized representative to support a documented qualified claim or appeal for benefits under any provision of the social security act.

(3) Any request made pursuant to this section shall be fulfilled within thirty (30) days in an electronic format, if available. A paper copy may be provided if an electronic format is unavailable.

(4) A health care provider shall be exempt from the provisions of this section if the health care provider has less than fifty (50) employees, is independently owned, and does not contract with a third-party service to provide copies of medical records.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2025.