

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Walters**

A Bill

SENATE BILL 32

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH ACCESS TO A PERSON'S MEDICAL RECORDS
9 AND PROVIDE FOR THE FURNISHING OF COPIES OF THE RECORDS;
10 TO LIMIT THE AMOUNT WHICH MAY BE CHARGED FOR COPYING
11 MEDICAL RECORDS; AND FOR OTHER PURPOSES."

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 *SECTION 1. In contemplation of, preparation for or use in any legal*
16 *proceeding, any person who is or has been a patient of a doctor, hospital or*
17 *other medical institution shall be entitled to obtain access, personally or by*
18 *and through his or her attorney to the information in his or her medical*
19 *records upon request and with written patient authorization and shall be*
20 *furnished copies of all medical records pertaining to his or her case upon the*
21 *tender of the expense of such copy or copies. Cost of each photocopy,*
22 *excluding x-rays, shall not exceed one dollar (\$1.00) per page for the first*
23 *five (5) pages and twenty-five cents (\$.25) for each additional page except*
24 *that the minimum charge shall be five dollars (\$5.00). Provided, however, a*
25 *reasonable retrieval fee for stored records of a hospital may be added to the*
26 *photocopy charges. Provided, further, this section shall not prohibit*
27 *reasonable fees for narrative medical reports or medical review when performed*
28 *by the doctor or medical institution subject to the request.*

29 *If a doctor believes a patient should be denied access to his or her*
30 *medical records for any reason, the doctor must provide the patient or the*
31 *patient's guardian or attorney a written determination that disclosure of such*
32 *information would be detrimental to the individual's health or well-being. At*
33 *such time the patient or the patient's guardian or attorney may select another*
34 *doctor in the same type practice as the doctor subject to the request to*
35 *review such information and determine if disclosure of such information would*

