

ARKANSAS SENATE
94th General Assembly - Regular Session, 2023
Amendment Form

Subtitle of Senate Bill No. 359

CONCERNING ACCESS TO MEDICAL RECORDS FOR A LEGAL PROCEEDING; AND CONCERNING
FEES CHARGED FOR DUPLICATION OF ELECTRONICALLY STORED MEDICAL RECORDS.

Amendment No. 1 to Senate Bill 359

Amend Senate Bill No. 359 as originally introduced:

Page 3, delete lines 6 through 25, and substitute the following:

"~~(b)(1)~~ (e)(1) If a doctor believes a patient should be denied access to his or her medical records for any reason, the doctor must provide the patient or the patient's guardian or attorney a written determination that disclosure of such information would be detrimental to the individual's health or well-being.

(2)(A) At such time, the patient or the patient's guardian or attorney may select another doctor in the same type of practice as the doctor subject to the request to review such information and determine if disclosure of such information would be detrimental to the patient's health or well-being.

(B) If the second doctor determines, based upon professional judgment, that disclosure of such information would not be detrimental to the health or well-being of the individual, the medical records shall be released to the patient or the patient's guardian or attorney.

(3) If the determination is that disclosure of such information would be detrimental, then it either will not be released or the objectionable material will be obscured before release.

(4) The cost of this review of the patient's record will be borne by the patient or the patient's guardian or attorney."

AND

Page 3, line 26, delete "~~(e)~~ Nothing in this (e)(1)" and substitute "~~(e)~~ Nothing in this (f)(1)"

AND

Page 3, line 36, delete "(f)" and substitute "(g)"



AND

Page 4, line 2, delete "(g)(1)" and substitute "(h)(1)"

AND

Page 4, line 11, delete "(g)(1)" and substitute "(h)(1)"

AND

Page 4, line 19, delete "(h)" and substitute "(i)"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator G. Stubblefield

JLC/JLC - 03-13-2023 11:32:26

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Secretary