

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: H1/22/99 S2/11/99*

## A Bill

HOUSE BILL 1070

5 By: Representative Rodgers  
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### For An Act To Be Entitled

9 "AN ACT TO CLARIFY THE LAW RELATING TO ACCESS TO  
10 MEDICAL RECORDS; AND FOR OTHER PURPOSES."

### Subtitle

13 "TO CLARIFY THE LAW RELATING TO ACCESS TO  
14 MEDICAL RECORDS."

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code 16-46-106(a)(1) pertaining to the access to  
20 medical records is amended to read as follows:

21 "16-46-106. Access to medical records.

22 (a)(1) In contemplation of, preparation for, or use in any legal  
23 proceeding, any person who is or has been a patient of a doctor, hospital,  
24 *ambulance provider*, medical health care provider, or other medical *institution*  
25 shall be entitled to obtain access, personally or by and through his or her  
26 attorney, to the information in his or her medical records, upon request and  
27 with written patient authorization, and shall be furnished copies of all  
28 medical records pertaining to his or her case upon the tender of the expense  
29 of such copy or copies."  
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31 SECTION 2. Arkansas 16-46-106(a)(3) is amended to read as follows:

32 "(3) Provided, however, a reasonable retrieval fee for stored records  
33 *of a hospital* or an ambulance provider may be added to the photocopy charges."  
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35 SECTION 3. All provisions of this act of a general and permanent nature  
36 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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3 SECTION 4. If any provision of this act or the application thereof to  
4 any person or circumstance is held invalid, such invalidity shall not affect  
5 other provisions or applications of the act which can be given effect without  
6 the invalid provision or application, and to this end the provisions of this  
7 act are declared to be severable.

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9 SECTION 5. All laws and parts of laws in conflict with this act are  
10 hereby repealed.

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*/s/ Rodgers*

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