

FIRST REGULAR SESSION  
[TRULY AGREED AND FINALLY PASSED]  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR  
**HOUSE BILL NO. 232**  
**93RD GENERAL ASSEMBLY**

0293S.06T

2005

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**AN ACT**

To repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to patient health care records.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 191.227, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 191.227, to read as follows:

191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his **or her** record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a [handling fee of fifteen dollars plus a fee of thirty-five cents per page for copies of documents made on a standard photocopier machine] **fee as provided in this section.**

2. **Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:**

(1) **Copying, in an amount not more than seventeen dollars and five cents plus forty cents per page for the cost of supplies and labor;**

(2) **Postage, to include packaging and delivery cost; and**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16           **(3) Notary fee, not to exceed two dollars, if requested.**

17           **3.** Notwithstanding provisions of this section to the contrary, providers may charge for  
18 the reasonable cost of all duplications of [medical] **health care** record material or information  
19 which cannot routinely be copied or duplicated on a standard commercial photocopy machine.  
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21           [3.] **4.** The transfer of the patient's record done in good faith shall not render the  
22 provider liable to the patient or any other person for any consequences which resulted or may  
23 result from disclosure of the patient's record as required by this section.

24           [4.] **5.** Effective February first of each year, the [handling fee and per-page fee] **fees**  
25 listed in subsection [1] **2** of this section shall be increased or decreased annually based on the  
26 annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of  
27 the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U).  
28 The current reference base of the index, as published by the Bureau of Labor Statistics of the  
29 United States Department of Labor, shall be used as the reference base. For purposes of this  
30 subsection, the annual average inflation rate shall be based on a twelve-month calendar year  
31 beginning in January and ending in December of each preceding calendar year. The department  
32 of health and senior services shall report the annual adjustment and the adjusted [handling and  
33 per-page] fees **authorized in this section** on the department's Internet website by February first  
34 of each year.