

**Bill Summary**  
1<sup>st</sup> Session of the 60<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB 423</b>
<b>Version:</b>	<b>FS</b>
<b>Request No.:</b>	<b>1755</b>
<b>Author:</b>	<b>Sen. Rader</b>
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**Bill Analysis**

SB 423 authorizes health care providers to impose a reasonable, cost-based fee when patients or their personal representatives request copies of medical records. Such fees shall only include the cost of applicable expenses. The measure establishes a \$23.00 fee for third-party requests for such copies and modifies the per page fee. The measure establishes a \$0.67 per page fee for paper copies and \$0.40 per page fee for electronic copies. The measure increases the total cap on such fees from \$200.00 to \$270.00. The measure specifies that “covered entity” and “protected health information” shall have the same meaning as provided under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The measure prohibits any third party from using or disclosing protected health information except as authorized under HIPAA. Violating this disclosure requirement shall be deemed unprofessional conduct and subject the violator to mandatory license revocation. A covered entity found to be in violation shall be guilty of a misdemeanor and subject to a maximum fine of \$1,000.00. The measure authorizes covered entities to apply to a court of competent jurisdiction for relief if it believes a request for records shall violate disclosure requirements.

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