MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Hines

To: Judiciary A

HOUSE BILL NO. 34

AN ACT TO PROVIDE THAT WHEN A PERSON IS SEEKING DISABILITY BENEFITS, THE HEALTH CARE PROVIDERS WHO EXAMINE THE PERSON TO DETERMINE THE PERSON'S ELIGIBILITY FOR THE BENEFITS BEING SOUGHT SHALL PROVIDE THE PERSON WITH COPIES OF HIS OR HER MEDICAL RECORDS AT NO CHARGE UNTIL AFTER THE APPLICABLE DETERMINATION OF DISABILITY HAS BEEN MADE; TO PROVIDE THAT AFTER SUCH DETERMINATION OF DISABILITY, THE HEALTH CARE PROVIDERS WHO PROVIDED COPIES OF MEDICAL RECORDS TO THE PERSON MAY CHARGE THE PERSON FOR THE COST OF PROVIDING THOSE MEDICAL RECORDS, AT RATES NOT EXCEEDING CERTAIN STATUTORY AMOUNTS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. When a person is seeking to obtain disability benefits under an insurance policy, a public assistance program or a public or private retirement system or plan, the physicians and other health care providers who examine or treat the person for any medical condition being used by the person in support of that person's disability status and eligibility for the disability benefits being sought shall provide the person with copies of his or her medical records at no charge until after the determination of disability has been made as to whether or not the person is eligible to obtain such benefits. After the determination of disability, regardless of the outcome of the determination, the

physicians and other health care providers who provided copies of medical records to the person may charge the person for the cost of providing those medical records, at rates not exceeding the amounts specified under Section 11-1-52.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

ST: Medical records; persons seeking disability benefits may obtain at no charge until determination of disability.