

SENATE FILE **273**
BY GRONSTAL

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the ownership of patient records maintained by
2 health care providers and facilities and making a penalty
3 applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 273

1 Section 1. NEW SECTION. 135.39A PATIENT RECORDS --
2 PROPERTY OF THE PATIENT.

3 A patient record maintained by a provider licensed under
4 Title IV, subtitle 3, a hospital licensed pursuant to chapter
5 135B, a health care facility licensed pursuant to chapter
6 135C, a birth center licensed pursuant to chapter 135G, or a
7 hospice program licensed pursuant to chapter 135J is the
8 property of the patient who is the subject of the record and
9 shall be available to the patient upon request and at no cost
10 to the patient, unless information contained in the record
11 regarding the patient's medical condition is medically
12 contraindicated.

13 EXPLANATION

14 This bill provides that a patient record maintained by
15 licensed health care providers and by hospitals, health care
16 facilities, birth centers, or hospice programs is the property
17 of the patient and is to be made available to the patient upon
18 request and at no cost to the patient, unless information
19 regarding the patient's medical condition included in the
20 record is medically contraindicated. An existing penalty,
21 under section 135.38, for violating a provision of chapter 135
22 is applicable making a violator subject to a simple
23 misdemeanor.

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