

HCS HB 381 -- HEALTH CARE RECORDS OF DECEASED

SPONSOR: Evans

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Health and Mental Health Policy by a vote of 9 to 0. Voted "Do Pass" by the Committee on Rules- Administrative Oversight by a vote of 12 to 0.

This bill allows a health care provider to disclose a deceased patient's health care or payment records to the executor or administrator of his or her estate, or the power of attorney for health care that specifically directs the health care records be released to him or her after death. If no one has been appointed, and the deceased did not object to disclosure of his or her records in writing, the records may be released, upon written request, to his or her surviving spouse or personal representative, as specified in the bill. The bill specifies that disclosures under the bill cannot be inconsistent with any prior expressed preference of the deceased that is known to the health care provider.

PROPONENTS: Supporters say that the bill changes the costs that can be obtained by a provider for copies of medical records and gives the ability to obtain records of a deceased patient to certain individuals. Supporters would like to update the bill with an amendment to include the February 2017 numbers. Currently, in Missouri there are no guidelines for loved ones to access the patient records of a deceased family member. This bill creates a system for the release of these records and allows access to the records without filing a lawsuit. The bill also keeps doctors accountable in their patient notes.

Testifying for the bill were Representative Evans; Cox Health; Missouri Hospital Association; BJC; SSM Health Care; Keith Ratcliff, Missouri Academy of Family Physicians; St. Luke Health System; Missouri State Medical Association; and Kerry Messer.

OPPONENTS: There was no opposition voiced to the committee.

This bill is similar to HCS HB 2482 (2016).