House Bill 531

In The House

January 28, 1981	Introduced and referred to Committee on Judiciary.
February 12, 1981	Committee recommend bill do pass.
February 13, 1981	Bill printed and placed on member's desks.
February 14, 1981	Second reading do pass.
February 16, 1981	Considered correctly engrossed.
February 17, 1981	Third reading passed.
In The Senat	e
February 18, 1981	Introduced and referred to Committee on Public Health Welfare and Safety.
March 12, 1981	Committee recommend bill not concurred.
In The House	
March 13, 1981	Returned from Senate not concurred.

LC 1036/01

1 HOUSE BILL ND. 531 INTRODUCED BY Deeg 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A PERSON 4 5 ACCESS TO HIS MEDICAL RECORDS; AMENDING SECTION 50-16-312, MCA." 6 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 NEW_SECTION. Section 1. Rights of person regarding 10 health care information. Confidential health care information relating to a person shall be released to the 11 person upon his request. 12 Section 2. Section 50-16-312, %CA, is amended to read: 13 *50-16-312. Disclosure by third party to physician of 14 15 person affected. (1) A third party who has performed an adverse action defined in subsection (2) may transfer 16 confidential health care information to a designated 17

•

18 physician when the third party receives a written request 19 signed by the affected person or his authorized 20 representative.

(2) The adverse action referred to in subsection (1)
 may include but is not limited to:

(a) denial of an application for an insurance policy;
(b) issuance of an insurance policy with other than
standard and uniform restrictions;

(c) rejection in whole or in part of any claim for
 insurance benefits;

3 (d) denial of an employment application or termination
4 of employment when such denial or termination is for health
5 reasons.

[3] Prior to making a transfer, a third party may 6 7 require payment of actual expenses incurred in the 3 retrieval, duplication, and forwarding of such information. (4) A physician receiving confidential health care 9 information pursuant to subsection (1) may review and 10 interpret the information. Thereaftery-the The physician 11 12 may shall, in-his-discretion at the request of the affected 13 person, disclose to the affected person as--much--of--the 14 transferred all_of_the information as-he-believes-is-in-the 15 best-interest-of-the-affected-person-to--know that he has received." 16

-End-

-2-

INTRODUCED BILL

HB 531

LC 1036/01

Approved by Committee on Judiciary

1 HOUSE BILL NO. 531 INTRODUCED BY Nela z 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A PERSON 5 ACCESS TO HIS MEDICAL RECORDS; AMENDING SECTION 50-16-312. 6 MCA. 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 NEW_SECTION. Section 1. Rights of person regarding 10 health care information. Confidential health care 11 information relating to a person shall be released to the 12 person upon his request. 13 Section 2. Section 50-16-312, MCA, is amended to read: 14 #50-16-312. Disclosure by third party to physician of 15 person affected. (1) A third party who has performed an 16 adverse action defined in subsection (2) may transfer 17 confidential health care information to a designated

18 physician when the third party receives a written request 19 signed by the affected person or his authorized 20 representative.

(2) The adverse action referred to in subsection (1)
may include but is not limited to:

23 (a) denial of an application for an insurance policy;
24 (b) issuance of an insurance policy with other than
25 standard and uniform restrictions;

(c) rejection in whole or in part of any claim for
 insurance benefits;

3 (d) denial of an employment application or termination
4 of employment when such denial or termination is for health
5 reasons.

6 (3) Prior to making a transfer, a third party may 7 require payment of actual expenses incurred in the 8 retrieval, duplication, and forwarding of such information. 9 (4) A physician receiving confidential health care information pursuant to subsection (1) may review and 10 11 interpret the information. Thereaftery-the The physician 12 may shall, in-his-discretion at the request of the affected 13 person, disclose to the affected person as--much--of--the 14 transferred all of the information as-he-believes-is-in-the 15 best-interest-of-the-affected-person-to--know that he has 16 received.*

-End-

-2-SECOND READING HB 531

MCA.

1

2

3

4

5

6 7 LC 1036/01

HOUSE BILL NO. 531 INTRODUCED BY Keegel A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A PERSON ACCESS TO HIS MEDICAL RECORDS; AMENDING SECTION 50-16-312+

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 NEW SECTION. Section 1. Rights of person regarding 10 health care information. Confidential health care information relating to a person shall be released to the 11 person upon his request. 12

Section 2. Section 50-16-312, MCA, is amended to read: 13 #50-16-312. Disclosure by third party to physician of 14 person affected. (1) A third party who has performed an 15 adverse action defined in subsection (2) may transfer 16 confidential health care information to a designated 17 physician when the third party receives a written request 18 signed by the affected person or his authorized 19 20 representative.

(2) The adverse action referred to in subsection (1) 21 22 may include but is not limited to:

(a) denial of an application for an insurance policy; 23 (b) issuance of an insurance policy with other than 24 25 standard and uniform restrictions:

1 (c) rejection in whole or in part of any claim for 2 insurance benefits;

(d) denial of an employment application or termination 3 4 of employment when such denial or termination is for health 5 reasons.

(3) Prior to making a transfer, a third party may 6 require payment of actual expenses incurred in the 7 8 retrieval, duplication, and forwarding of such information. 9 (4) A physician receiving confidential health care information pursuant to subsection (1) may review and 10 interpret the information. Thereaftery-the The physician 11 12 may shall, in-his-discretion at the request of the affected 13 person, disclose to the affected person as--much--of--the transferred all_of_the information as-he-believes-is-in-the 14 best-interest-of-the-affected-person-to--know that he has 15 16 received."

-End-

-2- THIRD READING

