

IN THE SENATE

SENATE BILL NO. 1087, As Amended

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO MEDICAL RECORDS; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION  
2 OF A NEW CHAPTER 73, TITLE 39, IDAHO CODE, TO ESTABLISH PROVISIONS RE-  
3 GARDING COPIES OF CERTAIN MEDICAL RECORDS; AND DECLARING AN EMERGENCY  
4 AND PROVIDING AN EFFECTIVE DATE.  
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Title 39, Idaho Code, be, and the same is hereby amended  
8 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-  
9 ter 73, Title 39, Idaho Code, and to read as follows:

10 CHAPTER 73

11 MISCELLANEOUS HEALTH PROVISIONS

12 39-7301. COPIES OF MEDICAL RECORDS -- COSTS. (1) As used in this sec-  
13 tion, "health care provider" means:

14 (a) A physician or other health care practitioner licensed, accred-  
15 ited, or certified to perform health care services consistent with  
16 state law or any agency or third-party representative of such practi-  
17 tioner; or

18 (b) A health care facility or its agent.

19 (2) A health care provider shall provide one (1) free copy of a pa-  
20 tient's medical records, including mental health records, if requested by  
21 a patient, former patient, the patient's authorized attorney, or the pa-  
22 tient's authorized representative to support a documented qualified claim  
23 or appeal for benefits under any provision of the social security act.

24 (3) Any request made pursuant to this section shall be fulfilled within  
25 thirty (30) days in an electronic format, if available. A paper copy may be  
26 provided if an electronic format is unavailable.

27 (4) A health care provider shall be exempt from the provisions of this  
28 section if the health care provider has less than fifty (50) employees, is  
29 independently owned, and does not contract with a third-party service to  
30 provide copies of medical records.

31 SECTION 2. An emergency existing therefor, which emergency is hereby  
32 declared to exist, this act shall be in full force and effect on and after  
33 July 1, 2025.