



General Assembly

January Session, 2025

Raised Bill No. 1437

LCO No. 5580



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING REQUESTS FOR HEALTH RECORDS AND
THE FEES CHARGED FOR ACCESS TO SUCH RECORDS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-294f of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2025*):

3 (a) An injured employee shall submit [himself] to an examination by
4 a reputable practicing physician or surgeon, at any time while claiming
5 or receiving compensation, upon the reasonable request of the employer
6 or at the direction of the administrative law judge. The examination
7 shall be performed to determine the nature of the injury and the
8 incapacity resulting from the injury. The physician or surgeon shall be
9 selected by the employer from an approved list of physicians and
10 surgeons prepared by the chairperson of the Workers' Compensation
11 Commission and shall be paid by the employer. At any examination
12 requested by the employer or directed by the administrative law judge
13 under this section, the injured employee shall be allowed to have in
14 attendance any reputable practicing physician or surgeon that the
15 employee obtains and [pays for himself] is paid for by the employee.

16 The employee shall submit to all other physical examinations as
17 required by this chapter. The refusal of an injured employee to submit
18 [himself] to a reasonable examination under this section shall suspend
19 [his] the employee's right to compensation during such refusal.

20 (b) All medical reports concerning any injury of an employee
21 sustained in the course of [his] the employee's employment shall be
22 furnished [within] not later than thirty days after the completion of the
23 reports, at the same time and in the same manner, to the employer and
24 the employee or [his] the employee's attorney.

25 (c) The administrative law judge may penalize a practicing physician,
26 surgeon or a third-party vendor acting on behalf of such physician or
27 surgeon if a medical report is not furnished within thirty days of the
28 date of completion of the report. Penalties imposed by an administrative
29 law judge may include (1) issuance of written notification of
30 noncompliance in furnishing a medical report to the practicing
31 physician, surgeon or a third-party vendor acting on behalf of such
32 physician or surgeon, or (2) an order requiring a physician, surgeon or
33 third-party vendor to appear at a hearing to explain the reasons for not
34 furnishing the report in a timely fashion. If a practicing physician,
35 surgeon or a third-party vendor acting on behalf of such physician or
36 surgeon fails to appear for a hearing to explain the reasons for not
37 furnishing the report in a timely fashion, then the administrative law
38 judge may impose a fine not to exceed five hundred dollars payable to
39 the claimant.

40 Sec. 2. Section 19a-25g of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective October 1, 2025*):

42 (a) Each institution, as defined in section 19a-490, except a facility
43 operated by the Department of Mental Health and Addiction Services
44 and the hospital and psychiatric residential treatment facility units of
45 the Albert J. Solnit Children's Center, shall, upon receipt of a medical
46 records request directed by the patient or the patient's representative,

47 provide an electronic copy of such patient's medical records to another
48 such institution (1) as soon as feasible, but not later than six days after
49 such request is received by the institution, if such request is urgent, or
50 (2) not later than seven business days after such request is received, if
51 such request is not urgent. Notwithstanding any [other] provision of the
52 general statutes, an institution providing an electronic copy of a
53 patient's medical records pursuant to the provisions of this section shall
54 not be required to obtain specific written consent from such patient
55 before providing such electronic copy.

56 (b) (1) Each institution, as defined in section 19a-490, except a facility
57 operated by the Department of Mental Health and Addiction Services
58 and the hospital and psychiatric residential treatment facility units of
59 the Albert J. Solnit Children's Center, shall, upon receipt of a medical
60 records request directed by the patient or the patient's representative,
61 provide an electronic copy of such patient's medical records to the
62 patient's attorney not later than twenty-business days after such request
63 is received. Notwithstanding any provision of the general statutes, an
64 institution providing an electronic copy of a patient's medical records
65 pursuant to the provisions of this subsection shall not be required to
66 obtain specific written consent from such patient before providing such
67 electronic copy.

68 (2) Nothing in this subsection shall relieve a patient or the patient's
69 authorized representative, including the patient's attorney, from being
70 responsible to pay reasonable charges for copies of records as set forth
71 in section 19a-490b as may apply, provided the maximum charge for
72 records provided to a patient, the patient's attorney or the patient's
73 authorized representative shall be the greater of (A) the fees allowed
74 pursuant to 45 CFR 164.524(c)(4), or (B) two-hundred fifty dollars, plus
75 the costs of postage, if necessary, and reasonable costs for imaging
76 copies or materials described in subsection (a) of section 19a-490b.

77 [(b)] (c) The provisions of [subsection (a)] subsections (a) and (b) of
78 this section shall not be construed to require an institution to provide

79 records (1) in violation of the Health Insurance Portability and
80 Accountability Act of 1996, P.L. 104-191, as amended from time to time,
81 or 45 CFR 160.101 to 45 CFR 164.534, inclusive, as amended from time
82 to time, (2) in response to a direct request from another health care
83 provider, unless such provider can validate that such provider has a
84 health provider relationship with the patient whose records are being
85 requested, or (3) in response to a third-party request.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2025</i>	31-294f
Sec. 2	<i>October 1, 2025</i>	19a-25g

Statement of Purpose:

To establish time and cost parameters relating to requests for copies of health records.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]