

By: McClendon

H.B. No. 118

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring the provision of notice by certain hospitals
3 regarding patients' medical records.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 241.103, Health and Safety Code, is
6 amended by adding Subsection (d) to read as follows:

7 (d) A hospital shall provide written notice to a patient, or
8 a patient's legally authorized representative as that term is
9 defined by Section 241.151, that the hospital, unless the exception
10 in Subsection (c) applies, may authorize the disposal of medical
11 records relating to the patient on or after the periods specified in
12 this section. The notice shall be provided to the patient or the
13 patient's legally authorized representative not later than the date
14 on which the patient who is or will be the subject of a medical
15 record is treated, except in an emergency treatment situation. In
16 an emergency treatment situation, the notice shall be provided to
17 the patient or the patient's legally authorized representative as
18 soon as is reasonably practicable following the emergency treatment
19 situation.

20 SECTION 2. This Act takes effect September 1, 2011.