



The Hospital + Healthsystem
Association of Pennsylvania

Leading for Better Health

June 11, 2024

The Honorable Tim Briggs
Chair, Judiciary Committee
Pennsylvania House of Representatives
P.O. Box 202149
Harrisburg, PA 17120-2149

The Honorable Rob Kauffman
Republican Chair, Judiciary Committee
Pennsylvania House of Representatives
P.O. Box 202089
Harrisburg, PA 17120-2089

Dear Chairman Briggs and Chairman Kauffman:

On behalf of 230 members statewide, The Hospital and Healthsystem Association of Pennsylvania (HAP) writes to express our opposition to HB 2198, sponsored by Representative Leanne Krueger, to cap at \$6.50 the total cost of obtaining charts or medical records that are maintained in an electronic format regardless of whether or not the requestor is a patient.

As a matter of policy and practice, providers already supply records to patients at deeply discounted rates or free of charge. We believe that a universal fee for all requestors, set at such a low level, does not acknowledge the actual process, or accurately reflect the actual cost to retrieve patient records and places another unfunded mandate on providers, increasing health care costs for all.

As you know, validation and quality assurance are essential to ensure that the requestor is, in fact, authorized to receive the protected information and that the release includes only the information that has been authorized. \$6.50 is not sufficient to cover the relevant staff time necessary to receive and validate a request, query a database, quality assure a response, and communicate with a requestor.

Moreover, while there has been a structural shift to electronic health records over the past two decades and many processes have been streamlined, recordkeeping has not yet evolved to a point where it can reasonably be expected that all of a patient's details will be in one place and available at the touch of a button. It remains common for information to be located across multiple recordkeeping systems including, for example, legacy platforms and multiple provider locations.

Finally, as we continue to highlight the workforce staffing challenges in health care, it should come with no surprise that many providers are not staffed to address the volume and complexity of the records requests they receive. As a matter of practice, many rely on third-party vendors to timely and accurately perform this function. A \$6.50 fee will certainly not cover the direct expense incurred to fulfill a request.

Thank you for your consideration of our concerns. If you have any questions or would like to discuss this issue, please contact me at HTyler@HAPonline.org or (717) 433-1997.

Sincerely,

Heather Tyler
Vice President, State Legislative Advocacy

c: The Honorable Leanne Krueger; House of Representatives Judiciary Committee Members