

**Topic:** Application for the release of medical records and  
medical billing records

\_\_\_\_\_ moved to amend as follows:

1 In line 6 of the title, after "2111.52," insert "2113.032,"

2 In line 21 of the title, delete "and" and insert "the"

3 In line 22 of the title, after "death" insert ", and an  
4 application for the release of medical records and medical  
5 billing records"

6 In line 27, after "2111.52," insert "2113.032,"

7 Between lines 863 and 864, insert:

8 "Sec. 2113.032. Any person who is entitled to be appointed  
9 as a personal representative of a decedent may file an  
10 application with the probate court in the county in which the  
11 decedent resided seeking the release of the decedent's medical  
12 records and medical billing records. The application shall  
13 include a decedent's estate form listing the decedent's known  
14 surviving spouse, children, next of kin, legatees, and devisees,  
15 if any. The application may be filed prior to the filing of any  
16 application for authority to administer the decedent's estate.

17 Upon the filing of the application and the payment of a filing  
18 fee as determined by the court, the probate court may order that  
19 release without a hearing and direct all medical providers that  
20 provided medical care or treatment to the decedent to release  
21 those medical records and medical billing records to the  
22 applicant for the limited purpose of deciding whether or not to  
23 file a wrongful death claim. The medical records and medical  
24 billing records are confidential and shall not be made available  
25 for public viewing. The probate court shall send copies of the  
26 application and the judgment entry to anyone listed on the  
27 decedent's estate form described in this section. Upon obtaining  
28 the requested applicable records, the applicant shall file a  
29 report with the court certifying that all requested medical  
30 records and medical billing records have been received and shall  
31 indicate whether an administration of the decedent's estate will  
32 be filed within the applicable statute of limitations filing  
33 time."

34 The motion was \_\_\_\_\_ agreed to.