

To: Members of the Ohio House Health Committee

Fr: Tim Maglione, JD, Senior Director, Ohio State Medical Association
Monica Hueckel, Director, Ohio State Medical Association

Da: December 6, 2017

Re: HB 172 – Modify law governing access to patient medical records

On behalf of the 12,000 physician, resident and medical student members of the Ohio State Medical Association (OSMA), our organization **is writing in support of House Bill 172.**

HB 172 would modify current law governing access to patient medical records by updating the definition of “medical record” to correlate with the use of the electronic medical record (EMR).

When a patient requests a copy of their medical record, this request is made more onerous by our current definition of “medical record” in statute. Current law was written before the EMR existed, and as applied to the EMR, dictates that even extraneous data generated in the duration of the patient’s treatment be included in the “medical record.” This means the EMR even includes volumes of records created by monitoring equipment, and coding data. The increased breadth of information and length of a medical record means a request takes longer to process, and it can be difficult for patients and providers alike to sift through and find the relevant information they need.

HB 172 simply proposes a more workable definition for “medical record,” which allows providers to designate data relevant to the patient’s care as part of the record. The bill makes a distinction between information related to the clinical care of the patient, and more superfluous data generated in the EMR. If data is not relevant to the decision-making process of providers during the clinical treatment of a patient or a patient’s medical history, it may not be necessary to include this data in the medical record, and much of this data is not even desired or readable to a patient. However, the bill does not limit the information available to patients, as even the information deemed less necessary and not initially included in the medical record under HB 172 would be available upon request.

We believe HB 172 is a necessary update to more closely reflect the newer trends and practices of our health care environment. As always, the OSMA appreciates the opportunity to be meaningful contributors to the legislative process. Please contact us with any questions you may have.