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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - BOARD OF MEDICAL LICENSURE  
AND DISCIPLINE

Introduced By: Representatives Corvese, O'Brien, and Azzinaro

Date Introduced: February 24, 2016

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-37-30 of the General Laws in Chapter 5-37 entitled "Board of  
2 Medical Licensure and Discipline" is hereby amended to read as follows:

3 **5-37-30. Closure of medical practice -- Preservation of records.** -- (a) A physician  
4 shall, ~~at least ninety (90) days~~ before closing his or her practice, ~~give public notice as to the~~  
5 ~~disposition of patients' medical records in a newspaper with a statewide circulation, and shall~~  
6 notify the Rhode Island Medical Society and Rhode Island Board of Medical Licensure and  
7 Discipline of the location of the records. The ~~public~~ notice shall include the date of the  
8 physician's retirement, and where and how patients may obtain their records both prior to and  
9 after closure of the physician's practice.

10 (b) The heirs or estate of a deceased physician who had been practicing at the time of his  
11 or her death shall, within ninety (90) days of the physician's death, ~~give public notice as to the~~  
12 ~~disposition of patients' medical records in a newspaper with a statewide circulation, and shall~~  
13 notify the Rhode Island Medical Society and Rhode Island Board of Medical Licensure and  
14 Discipline of the location of the records.

15 (c) Any physician closing his or her practice, or the heirs or estate of a deceased  
16 physician who had been practicing at the time of his or her death, shall dispose of the physician's  
17 patient records in a location and manner so that the records are maintained and accessible to  
18 patients.

1           (d) Any person or corporation or other legal entity receiving medical records of any  
2 retired physician or deceased physician who had been practicing at the time of his or her death,  
3 shall comply with and be subject to the provisions of chapter 37.3 of this title, the Confidentiality  
4 of Health Care Information Act, and shall be subject to the rules and regulations promulgated in  
5 accordance with § 23-1-48 and with the provisions of § 5-37-22(c) and (d), even though this  
6 person, corporation, or other legal entity is not a physician.

7           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would do away with the requirement that a retiring physician give public notice  
2 in a statewide newspaper at least ninety days before the closure of their practice, of the  
3 disposition of their patients' medical records and would do away with the requirement that a  
4 physician's heirs give public notice in a statewide newspaper of the disposition of patient records  
5 within ninety days of the physician's death.

6           This act would take effect upon passage.

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