

House Bill 153 Medical Records - Fees - Attorneys Representing Patients

Health and Government Operations Committee

February 7, 2024

Position: SUPPORT

Mental Health Association of Maryland (MHAMD) is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health and substance use disorders (collectively referred to as behavioral health). We appreciate the opportunity to provide this testimony in support of House Bill 153.

HB 153 adds a patient's attorney to the list of individuals who may not be charged for copies of medical records that will be used on behalf of the patient to file for critical disability benefits under the Social Security Act. This includes federal Supplemental Security Income and Social Security Disability Insurance ([SSI/SSDI](#)).

The General Assembly enacted legislation in 2021 ([HB 849](#)) prohibiting the charging of fees to patients for medical records needed to secure these benefits. This was a hugely important bill. By definition, the people applying for these programs are disabled individuals who have little or no income and resources. Even the nominal cost of a medical record may prevent them from securing the assistance they need to survive.

However, applying for SSI/SSDI is a long and complex process, usually encompassing several years and multiple levels of appeal. This requires that many patients secure an attorney who can assist them with the application process. But an attorney representing the patient is not currently listed among individuals for whom medical records fees are waived. The result is these fees are typically passed onto the patient, which is contrary to the intent of the 2021 legislation.

For some low-income disabled Marylanders, the cost of a medical record places the help they need just out of reach. HB 153 is another step in removing this barrier. For this reason, MHAMD supports this bill and urges a favorable report.

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