

1                   **MEDICAL FINANCIAL RECORDS AMENDMENTS**

2                                   2010 GENERAL SESSION

3                                   STATE OF UTAH

4                                   **Chief Sponsor: Bradley G. Last**

5                                   Senate Sponsor: Daniel R. Liljenquist



7                   **LONG TITLE**

8                   **General Description:**

9                   This bill modifies the Utah Health Code to allow hospitals to obtain financial  
10 information of a patient from a bank or other financial institution when determining  
11 Medicaid eligibility of a patient.

12                   **Highlighted Provisions:**

13                   This bill:

- 14                   ▶ requires a bank to release financial records to a hospital when determining whether
- 15 a patient qualifies for Medicaid; and
- 16                   ▶ specifies the information the bank shall receive before releasing financial records.

17                   **Monies Appropriated in this Bill:**

18                   None

19                   **Other Special Clauses:**

20                   None

21                   **Utah Code Sections Affected:**

22                   ENACTS:

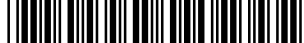
23                   **26-18-3.2**, Utah Code Annotated 1953



25                   *Be it enacted by the Legislature of the state of Utah:*

26                   Section 1. Section **26-18-3.2** is enacted to read:

27                   **26-18-3.2.** Release of financial information.



H.B. 421

28           (1) (a) Upon request from a hospital, or a designated agent of a hospital, a bank or  
29 other financial institution shall provide the hospital, or the designated agent of the hospital,  
30 financial records of a patient upon the receipt of a notarized document that includes the  
31 following patient information:

- 32           (i) name;
- 33           (ii) address;
- 34           (iii) Social Security number; and
- 35           (iv) patient permission to release the information required by this Subsection (1) to the  
36 bank or financial institution.

37           (b) The document required by this Subsection (1) shall be signed by the patient and  
38 acknowledged by a notary public.

39           (2) A hospital, or a designated agent of the hospital, may only request the information  
40 required under Subsection (1), if the hospital or the agent of the hospital:

- 41           (a) determines that the patient has no ability to pay;
- 42           (b) is not able to independently determine eligibility for Medicaid qualification for the  
43 patient; and
- 44           (c) has received adequate documentation from the patient, such as a valid driver license  
45 or passport, to verify the identity of the patient.

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**Legislative Review Note**  
**as of 2-16-10 6:20 AM**

**Office of Legislative Research and General Counsel**

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**H.B. 421 - Medical Financial Records Amendments**

**Fiscal Note**

2010 General Session  
State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for local governments. Individuals, financial institutions, and hospitals may be impacted by the proposed change in statute.

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