

SENATE BILL NO. 17—SENATOR WIENER

PREFILED DECEMBER 5, 2008

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing health care records.
(BDR 54-607)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to health care; revising provisions governing the retention and destruction of health care records; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill increases from 5 years to 7 years the period of time that a provider of
2 health care must retain the health care records of patients and requires the provider
3 to notify a patient before destroying his health care records upon expiration of the
4 period. (NRS 629.051)

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 629.051 is hereby amended to read as follows:
2 629.051 **1.** Except as otherwise provided in regulations
3 adopted by the State Board of Health pursuant to NRS 652.135 with
4 regard to the records of a medical laboratory, each provider of
5 health care shall retain the health care records of his patients as part
6 of his regularly maintained records for ~~5~~ 7 years after their receipt
7 or production. Health care records may be retained in written form,
8 or by microfilm or any other recognized form of size reduction,
9 including, without limitation, microfiche, computer disc, magnetic
10 tape and optical disc, which does not adversely affect their use for
11 the purposes of NRS 629.061. Health care records may be created,
12 authenticated and stored in a computer system which limits access
13 to those records.



- 1 2. A provider of health care shall, not less than 30 days
- 2 before destroying the health care record of a patient, provide
- 3 written notice to the patient of the date on which the record will be
- 4 destroyed. Such written notice must be mailed by first-class mail to
- 5 the last known address of the patient, as reflected in the record of
- 6 the patient.

