

## **Statute Change Regarding Release of Medical Records**

Effective June 18, 2005, the statute regarding release of medical records (T.C.A. § 63-2-101) was amended to require release of records to TennCare Office of Inspector General and to the Medicaid Fraud Control Unit. The entire text of the new statutory language is as follows:

### **T.C.A. § 63-2-101 (i)**

Providers, as defined in Tennessee Code Annotated, Section 71-5-2503, shall make available for inspection and copying, to the Office of Inspector General and the Medicaid Fraud Control Unit, upon request no later than by the close of business on the next business day, a complete set of all medical records requested in connection with an investigation being pursued by the agency, or shall provide a compelling reason why the requested records cannot be produced; provided, no such records shall be removed from the grounds of the provider's office without the provider's consent unless the Office of Inspector General or the Medicaid Fraud Control Unit reasonably believes that requested documents are about to be altered or destroyed.

### **T.C.A. § 63-2-101 (j)**

On request of a provider, a duly authorized agent of the requesting agency shall sign a document acknowledging receipt of records produced pursuant to this section. On request of a duly authorized agent of the requesting agency, a duly authorized agent of the provider shall sign a document acknowledging the return of specific records to the provider.

### **T.C.A. § 63-2-101 (k)**

No person or entity shall be subject to any civil or criminal liability for releasing patient information in response to a request from the Office of Inspector General or the Medicaid Fraud Control Unit.