

House Engrossed

prisoners; medical records; family access

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HOUSE BILL 2339

AN ACT

AMENDING TITLE 31, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 31-224.01; RELATING TO PRISONERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 31, chapter 2, article 2, Arizona Revised
3 Statutes, is amended by adding section 31-224.01, to read:

4 31-224.01. Prisoner medical records; release to immediate
5 family or designated individual; definition

6 A. A PRISONER MAY AUTHORIZE THE DEPARTMENT TO RELEASE THE
7 PRISONER'S MEDICAL RECORD TO A MEMBER OF THE PRISONER'S IMMEDIATE FAMILY
8 OR TO A DESIGNATED INDIVIDUAL. THE AUTHORIZATION MUST BE IN WRITING ON A
9 FORM PRESCRIBED BY THE DEPARTMENT AND INCLUDE A RELEASE THAT COMPLIES WITH
10 THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT PRIVACY STANDARDS
11 (45 CODE OF FEDERAL REGULATIONS PART 164, SUBPART E). IF AUTHORIZED BY
12 THE PRISONER, THE DEPARTMENT SHALL RELEASE THE PRISONER'S MEDICAL RECORD
13 TO A MEMBER OF THE PRISONER'S IMMEDIATE FAMILY OR TO THE DESIGNATED
14 INDIVIDUAL. THE DEPARTMENT SHALL PROVIDE THE MEDICAL RECORD WITHIN
15 FIFTEEN CALENDAR DAYS AFTER RECEIVING THE PRISONER'S AUTHORIZATION TO
16 RELEASE THE MEDICAL RECORD. PURSUANT TO SECTIONS 31-221 AND 39-121.01,
17 THE DEPARTMENT MAY CHARGE A FEE TO COPY AND PRODUCE THE PRISONER'S MEDICAL
18 RECORD UNLESS THE MEDICAL RECORD IS PRODUCED ELECTRONICALLY.

19 B. FOR THE PURPOSES OF THIS SECTION, "MEDICAL RECORD" INCLUDES ANY
20 MEDICAL RECORD THAT IS RETAINED BY THE DEPARTMENT OR A MEDICAL
21 PROFESSIONAL AND THAT RELATES TO MEDICAL TREATMENT THAT WAS PROVIDED TO
22 THE PRISONER WHILE IN A DEPARTMENT FACILITY.