

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-2405 of the Code of Virginia, relating to transfer or copies of*  
3 *patient records upon the sale or relocation of a practice.*

4 [S 799]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 54.1-2405 of the Code of Virginia is amended and reenacted as follows:**8 § 54.1-2405. Transfer of patient records in conjunction with sale or relocation of practice; notice  
9 required.

10 A. No person licensed, registered, or certified by one of the health regulatory boards under the  
11 Department shall transfer records pertaining to a current patient in conjunction with the sale *or*  
12 *relocation* of a professional practice until such person has first attempted to notify the patient of the  
13 pending transfer, by mail, at the patient's last known address, and by publishing prior notice in a  
14 newspaper of general circulation within the provider's practice area. The notice shall specify that, at the  
15 written request of the patient or an authorized representative, within a reasonable time period, the  
16 records or copies will be sent to any other like-regulated provider of the patient's choice ~~or destroyed or~~  
17 *provided to the patient pursuant to § 32.1-127.1:03. The notice shall also disclose the charges, if any,*  
18 *that will be billed by the practitioner for providing the patient copies of his records. Such charges shall*  
19 *not exceed the actual costs of retrieving and copying the documents.*

20 B. *The charges for retrieval, copying, and mailing medical records set forth in § 8.01-413 shall not*  
21 *apply to requests for medical records because of a sale or relocation of a professional practice.*

ENROLLED

SB799ER