

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 1 of Chapter 29 of Title 54.1 a section*  
3 *numbered 54.1-2910.4, relating to health record retention.*

4 [H 1524]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding in Article 1 of Chapter 29 of Title 54.1 a**  
8 **section numbered 54.1-2910.4 as follows:**

9 **§ 54.1-2910.4. Health record retention.**

10 *Practitioners licensed under this chapter shall maintain health records, as defined in*  
11 *§ 32.1-127.1:03, for a minimum of six years following the last patient encounter. However, such*  
12 *practitioners are not required to maintain health records for longer than 12 years from the date of*  
13 *creation except for (i) health records of a minor child, including immunizations, which shall be*  
14 *maintained until the child reaches the age of 18 or becomes emancipated, with a minimum time for*  
15 *record retention of six years from the last patient encounter regardless of the age of the child or (ii)*  
16 *health records that are required by contractual obligation or federal law to be maintained for a longer*  
17 *period of time. Health records that have previously been transferred to another practitioner or health*  
18 *care provider or provided to the patient or his personal representative are not required to be*  
19 *maintained beyond such transfer or provision.*

ENROLLED

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