

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 32.1-127.1:01 and 54.1-2403.2 of the Code of Virginia, relating to*
3 *storage of health records.*

4 [H 1212]

5 Approved

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

7 **1. That §§ 32.1-127.1:01 and 54.1-2403.2 of the Code of Virginia are amended and reenacted as**
8 **follows:**

9 § 32.1-127.1:01. Record storage.

10 A. ~~Medical records, as defined in § 42.1-77~~ *Health records, as defined in § 32.1-127.1:03*, may be
11 stored by computerized or other electronic process or microfilm, or other photographic, mechanical, or
12 chemical process; however, the stored record shall identify the location of any documents or information
13 that could not be so technologically stored. If the technological storage process creates an unalterable
14 record, the nursing facility, hospital or other licensed health care provider shall not be required to
15 maintain paper copies of ~~medical health~~ records that have been stored by computerized or other
16 electronic process, microfilm, or other photographic, mechanical, or chemical process. Upon completing
17 such technological storage, paper copies of ~~medical health~~ records may be destroyed in a manner that
18 preserves the patient's confidentiality. However, any documents or information that could not be so
19 technologically stored shall be preserved.

20 B. Notwithstanding the authority of this section to copy ~~patient health~~ records in the form of
21 microfilm, prescription dispensing records maintained in or on behalf of any pharmacy registered or
22 permitted in Virginia shall only be stored in compliance with §§ 54.1-3410, 54.1-3411, and 54.1-3412.

23 § 54.1-2403.2. Record storage.

24 A. ~~Medical records, as defined in § 42.1-77~~ *Health records, as defined in § 32.1-127.1:03*, may be
25 stored by computerized or other electronic process or microfilm, or other photographic, mechanical, or
26 chemical process; however, the stored record shall identify the location of any documents or information
27 that could not be so technologically stored. If the technological storage process creates an unalterable
28 record, a health care provider licensed, certified, registered or issued a multistate licensure privilege by a
29 health regulatory board within the Department shall not be required to maintain paper copies of ~~medical~~
30 *health* records that have been stored by computerized or other electronic process, microfilm, or other
31 photographic, mechanical, or chemical process. Upon completing such technological storage, paper
32 copies of ~~medical health~~ records may be destroyed in a manner that preserves the patient's
33 confidentiality. However, any documents or information that could not be so technologically stored shall
34 be preserved.

35 B. Notwithstanding the authority given in this section to store ~~patient health~~ records in the form of
36 microfilm, prescription dispensing records maintained in or on behalf of any pharmacy registered or
37 permitted in Virginia shall only be stored in compliance with §§ 54.1-3410, 54.1-3411, and 54.1-3412.

ENROLLED

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