

*MODEL STATE LEGISLATION*

## **Non-Coercive Patient Consent Required**

### **Patient consent to release of records.**

(a) A provider, or a person who receives health records from a provider, may not release a patient's health records to a person without:

(1) a signed and dated consent from the patient or the patient's legally authorized representative authorizing the release;

(2) specific authorization in law; or

(3) a representation from a provider that holds a signed and dated consent from the patient authorizing the release.

(b) A provider or health care facility shall not withhold services or treatment or refuse to provide services or treatment to a patient solely because the patient or the patient's legally authorized representative refuses to authorize or alters in any way the provider's or health care facility's consent form.