

REFERENCE TITLE: prisoners; medical records; family access

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

## **HB 2339**

Introduced by  
Representatives Shah: Gress

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.