



MAINE'S LEADING
VOICE FOR HEALTHCARE

MHA Comment

LD 2151

January 26, 2024

LD 2151 - *An Act Regarding the Cost of Copies of Medical Records*

Senator Baldacci, Representative Meyer, and members of the Health and Human Services Committee, my name is Jeffrey Austin and I am submitting this comment on behalf of the Maine Hospital Association.

MHA did not take a position on the underlying legislation. We did, however, listen to the public hearing and would offer the following comment for your consideration.

Our understanding of the legislation is that it seeks to modestly adjust the fees charged for the costs to produce copies of medical records for trial lawyers and others who need them for business purposes. Much of this work is now done by third-party vendors.

Mr. Chris Boots from Berman & Simmons testified on behalf of the trial attorneys to oppose the legislation.

It may be of interest to the HHS Committee that Mr. Boots, again on behalf of the trial attorneys, testified IN FAVOR of increasing statutory caps in Maine law just last year. Those caps were on the jury awards that trial attorneys secure for their clients.

Since 2019, the Maine statutory cap on punitive damages has been increased by the legislature by 100% (from \$250,000 to \$500,000) and the cap on non-economic damages has also increased by 100% (from \$500,000 to \$1,000,000). While they do not support caps of any kind, one of their arguments last year in favor of increasing the caps was *“increasing the cap on non-economic damages also helps to keep pace with high inflation.”*

We hope this information is helpful to you.