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SENATE BILL 231

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Carroll H. Leavell

AN ACT

RELATING TO WORKERS' COMPENSATION; PROVIDING FOR ACCESS TO  
INFORMATION REGARDING A WORKER'S STATUS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 52-10-1 NMSA 1978 (being Laws 1990  
(2nd S.S.), Chapter 2, Section 90) is amended to read:

"52-10-1. RELEASE OF MEDICAL RECORDS--ACCESS TO  
INFORMATION.--

A. A health care provider shall immediately release  
to a worker, that worker's employer, that employer's insurer,  
the appropriate peer review organization or the health care  
selection board all medical records, medical bills and other  
information concerning any health care or health care service  
provided to the worker, upon either party's written request to  
the health care provider for that information. Except for

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1 those records that are directly related to any injuries or  
2 disabilities claimed by a worker for which that worker is  
3 receiving benefits from his employer, the request shall be  
4 accompanied by a signed authorization for that request by the  
5 worker.

6 B. An employer or worker shall not be required to  
7 continue to pay any health care provider who refuses to comply  
8 with Subsection A of this section.

9 C. With written permission from the injured worker,  
10 a party to a claim, including a medical case manager, may  
11 directly contact a health care provider for the purpose of  
12 understanding the worker's disability status, work restrictions  
13 or treatment plan.

14 D. An injured worker who has given written  
15 permission pursuant to Subsection C of this section may  
16 withdraw that permission at any time."

17 Section 2. EFFECTIVE DATE.--The effective date of the  
18 provisions of this act is July 1, 2007.